



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

July 14, 2009

Cheryl and Angel Montalbo
5930 Hollilynn Dr.
Boise, ID 83709

John D. Geraud
CSHQA
250 S 5th St.
Boise, ID 83702

Re: Application for Transfer of Water Right; Transfer No. 75702, Water Right No. 78-7243A

Dear Cheryl and Angel Montalbo and John Geraud:

The application for transfer referenced above has been assigned to me for review and processing. There is an item that must be addressed before processing can continue. I sent an e-mail to you on 6/30/2009 in the hope that we could handle this matter a little quicker, but have not had a response.

The application is not signed. Signatures of the applicants are required on the original application and I will not be able to process the transfer application until it is signed. Cheryl and Angel, please call me at the phone number below to set up a time for you both to come in and sign the original application.

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to delay or interrupt processing. Your written response including the requested information, or a request for more time to seek the information, must be received by August 14, 2009. The application will be voided without a timely reply.

Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vicky Music'. The signature is fluid and cursive, with a large 'V' and 'M'.

Vicky Music
Sr. Water Resource Agent

Music, Vicky

From: Music, Vicky
Sent: Tuesday, June 30, 2009 10:57 AM
To: 'mariecomment@yahoo.com'
Cc: 'john.geraud@cshqa.com'
Subject: application for transfer 75702, water rt # 78-7243A

Good morning –

I have been assigned the above transfer for review and processing. First, I want to clarify the place of use. Your application states that, though your lot lies in both the NWNW and SWNW of Section 32, you want to correct the place of use to the SWNW.

I see that a small portion of your 1.05 acre lot is in the NWNW Section 32 and I want to confirm that you want the water right to reflect that all of the domestic use [including the up to 0.5 acre irrigation authorized under a domestic use] will be used only in the SWNW Section 32. If so, no change to the application is needed. If not and at some time you would want to use the NWNW as a small garden, then the place of use must be amended to include the NWNW.

Last, the application is not signed. Cheryl and Angel, please call me at the phone number below to set up a time for you both to come in and sign the application. I will make this as convenient as I can for you, but I will not be able to continue to process the transfer application until it is signed.

I cannot see any other deficiencies at this time but because this transfer was filed to resolve SRBA objections, I wanted to get started and inform you of these 2 items right away.

Thank you -

Vicky L. Music
Sr. Water Resource Agent
IDWR/Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Western Info

From: Western Info
Sent: Monday, June 29, 2009 8:12 AM
To: 'mariecomment@yahoo.com'
Cc: 'john.geraud@cshqa.com'
Subject: Application for Transfer, Water Right 78-7243A

Dear Applicants:

I sent you a letter dated 6/26 about your transfer application, stating it would be held until adjudication objections were resolved. This morning I learned from staff that the purpose of the transfer is to resolve the objections.

In such situations, we try to expedite the transfer to get the adjudication objections resolved.

Therefore, please disregard my recent letter. This office will expedite the application for you and will be in touch if any additional information is needed.

If you reply to this email, please put "Attention Steve Lester" in the subject line.

Steve Lester
Water Rights Supervisor
IDWR Western Region
tel: 208.334.2190
fax: 208.334.2348
email: westerninfo@idwr.idaho.gov

Lester, Steve

From: Fritschle, Carter
Sent: Monday, June 29, 2009 8:04 AM
To: Lester, Steve
Subject: RE: Transfer Application for 78-7243A

Steve,

I just noticed the transfer application states Sallas owns the land where the POD is located. That is incorrect, the POD and most of the conveyance system is on land owned by Doug Boggan.

Carter

From: Lester, Steve
Sent: Thursday, June 25, 2009 4:03 PM
To: Knoblock, Ken
Cc: Fritschle, Carter
Subject: Transfer Application for 78-7243A

Hi Ken:

This application recommendation has unresolved objections according to SRBA website. Barcode shows you have the claim file.

I've copied this email to Carter in case the claim file is being handled at SO.

Transfer proposes no physical change, states just correcting the P/U tract for the location of the home. Apparently the owners' lot falls in W 1/2 of NW 1/4 but they believe the home is only in SWNW. I scanned the first few pages of the transfer application, attached. The other info in the transfer does not verify the home is only in SWNW so did not scan the rest of the application.

The applicants did not say anything about filing the application to resolve objections. If the transfer was filed to resolve objections, we should process it asap. Otherwise we should not process the transfer until objections are resolved.

Do you know if the transfer was filed to resolve objections? Thanks for any help you (&/or Carter) can provide.

I will contact the rep listed on application if we cannot determine that the transfer was filed to resolve objections.

Steve

<< File: 78-7243A xfer.pdf >>

Lester, Steve

From: Fritschle, Carter
Sent: Monday, June 29, 2009 7:55 AM
To: Lester, Steve
Cc: Knoblock, Ken; Courtney, Andrea; Ridgeway, Renea
Subject: RE: Transfer Application for 78-7243A

Attachments: Transfer to Add POU to 78-7243A

Steve,

I sent Pam an email on this one last August, and it is attached. Bottom line is that yes, the transfer will resolve the objection.

Carter



Transfer to Add
POU to 78-7243...

From: Lester, Steve
Sent: Thursday, June 25, 2009 4:03 PM
To: Knoblock, Ken
Cc: Fritschle, Carter
Subject: Transfer Application for 78-7243A

Hi Ken:

This aj recommendation has unresolved objections according to SRBA website. Barcode shows you have the claim file.

I've copied this email to Carter in case the claim file is being handled at SO.

Transfer proposes no physical change, states just correcting the P/U tract for the location of the home. Apparently the owners' lot falls in W 1/2 of NW 1/4 but they believe the home is only in SWNW. I scanned the first few pages of the transfer application, attached. The other info in the transfer does not verify the home is only in SWNW so did not scan the rest of the application.

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Do you know if the transfer was filed to resolve objections? Thanks for any help you (&/or Carter) can provide.

I will contact the rep listed on application if we cannot determine that the transfer was filed to resolve objections.

Steve

<< File: 78-7243A xfer.pdf >>

Lester, Steve

From: Fritschle, Carter
Sent: Tuesday, August 05, 2008 10:14 AM
To: Skaggs, Pam
Subject: Transfer to Add POU to 78-7243A

Hi Pam,

In the process of trying to resolve objections to SRBA claims 78-7243A and 78-7243B, we discovered that 78-7243A had been claimed and recommended with a POU different than what appeared on the license that was issued in 1995. It appears that the POU for 78-7243A has always included some land in the SWNW of T24N, R01E, S33 as well as the NWNW as licensed. We have suggested that the claimants of 78-7243A file a transfer to add the QQ where the home is located to the right.

My question for you is what can I do to facilitate the processing of the transfer once it is filed?

Thanks, Carter

6/29/2009

Lester, Steve

From: Lester, Steve
Sent: Friday, June 26, 2009 8:17 AM
To: Knoblock, Ken
Subject: 78-7243A letter

Attachments: 78-7243A transfer letter.pdf

Ken:

A copy of a letter about the transfer application is attached for the claim file.

Steve



78-7243A transfer
letter.pdf (...)

Lester, Steve

From: Knoblock, Ken
Sent: Thursday, June 25, 2009 5:26 PM
To: Lester, Steve
Subject: RE: Transfer Application for 78-7243A

I do not know any thing about the transfer. We received a copy of the objection May 8, 2007. That is the last time I had anything to do with the file. Do you want the file? I can get down to the Boise Valley sometime on Friday.

ken

From: Lester, Steve
Sent: Thursday, June 25, 2009 3:03 PM
To: Knoblock, Ken
Cc: Fritschle, Carter
Subject: Transfer Application for 78-7243A

Hi Ken:

This aj recommendation has unresolved objections according to SRBA website. Barcode shows you have the claim file.

I've copied this email to Carter in case the claim file is being handled at SO.

Transfer proposes no physical change, states just correcting the P/U tract for the location of the home. Apparently the owners' lot falls in W 1/2 of NW 1/4 but they believe the home is only in SWNW. I scanned the first few pages of the transfer application, attached. The other info in the transfer does not verify the home is only in SWNW so did not scan the rest of the application.

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Do you know if the transfer was filed to resolve objections? Thanks for any help you (&/or Carter) can provide.

I will contact the rep listed on application if we cannot determine that the transfer was filed to resolve objections.

Steve

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C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

June 26, 2009

CHERYL AND ANGEL MONTALBO
5930 HOLLILYNN DR
BOISE ID 83709

Re: Application for Transfer, Water Right No. 78-7243A

Dear Applicants:

The Idaho Department of Water Resources (IDWR) received your above referenced application seeking to correct the place of use for this right. As you know, the right has two objections against it in the Snake River Basin Adjudication.

The application would apparently resolve your objection but not the Boggan objection. Per department policy, the application should not be processed until the Boggan objection is resolved.

IDWR will hold the application until it can be processed.

More IDWR information is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

Copy: John Geraud, CSHQA (Transfer Application Representative)

*Disregard letter, see 6/29/09 email e
Expedite -JL*