

Edl, Michele

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, January 28, 2009 1:00 PM
To: Edl, Michele
Subject: Re: contact for Bear Lakes area

Michele, I am the contact person for all Forest Service water right business in Idaho. So, thank you for contacting me about this matter. Using the legal description you provided below and the problem you elude to I can see that the subject of this message is license 11-07292. I substantiated this with you during our telephone conversation.

I've reviewed the maps and application available on the Departments site and see that the legal description in numbers 3 and 8a of the application was for both the POD and POU to be in Sec 12, T16S, R44E. This is on the eastern shore of Bear Lake and coincides with the maps that accompanied the application. However, the table in 8b filled out by the applicant has the township as **T12S**. This is obviously an error when compared to the maps and information in numbers 3 and 8a.

This information was carried over to the water right license there the POD, a well, is correctly described down at Bear Lake is in T16S, however the POU duplicates the error and is incorrectly located in **T12S**. This is unfortunate because the SWSW Sec 12, T12S, R44E is on National Forest System (NFS) land 12 miles due north of the well.

This message is to confirm that the Forest Service recognizes this as an error, that the POU is not on NFS land and should not be in T12S, and that the correct legal location of the POU is apparently in T16S as shown on the maps and in numbers 3 and 8a of the application. The Forest Service was not a party to the application, has no interest in this license other than to confirm that it is not on NFS land and that we support the Department's efforts to correct this error in the POU from T12S to T16S.

Again, thank you for contacting us about this matter. We appreciate your cooperation. If there is anything else that we can do to facilitate the correction please contact me.

Steve Spencer
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"Edl, Michele" <Michele.Edl@idwr.idaho.gov>

To <sspencer@fs.fed.us>

cc

01/27/2009 04:21 PM

Subject: contact for Bear Lakes area

Mr. Spencer,
 I left you a voice mail message earlier this afternoon and have decided to give you a followup request with a little more detail.

Two of IDWRs adjudication agents recommended you as a good starting point for Forest Service water right issues.

I work in the Water Rights Section of the Department of Water Resources. I have found a water right license for an appropriation in the vicinity of Bear Lake that has a typographical error in the place of use description. The PLS location is Township 12South, Range 44East, Section 12.

I believe I will need to work with a contact who handles land/water for Caribou National Forest to get the correction made. I hope you can point me to the correct chain of command.

1/28/2009

Thanks.

Michele Edl
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