

**Keen, Shelley**

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**From:** Terry Scanlan [TScanlan@spfwater.com]  
**Sent:** Friday, November 07, 2008 11:57 AM  
**To:** Keen, Shelley  
**Cc:** Lori Graves  
**Subject:** RE: Source for Permit 2-10343

Shelley

I think everyone is correct. The drain can backfeed from the Snake, but only by pumping. If the drain is checked up for gravity delivery (which is desirable), then the source is not Snake River. I'll draft up another application. Thanks.

Terry

-----Original Message-----

**From:** Keen, Shelley [mailto:Shelley.Keen@idwr.idaho.gov]  
**Sent:** Monday, November 03, 2008 4:05 PM  
**To:** Terry Scanlan  
**Subject:** FW: Source for Permit 2-10343

Terry,

I see what you're describing on the map submitted with the application. Despite the map, the application describes only the Snake River as a source, as does the permit. In her 2/14/2008 letter to Bruce Smith, Angie Grimm asked for clarification of the source for the point of diversion along the drain. From Angie's email below, it seems that Bruce assured her that the drain was Snake River water, perhaps some kind of slough.

Permits can be amended to change a point of diversion, place of use, season of use, or nature of use, but the proposed source cannot be changed. Based on your conclusion that the water is not from the Snake River, I think a new application for the "drain" is necessary.

Please call or email if you want to discuss it some more.

Shelley Keen  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 287-4947  
shelley.keen@idwr.idaho.gov

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**From:** Grimm, Angie  
**Sent:** Monday, November 03, 2008 9:38 AM  
**To:** Keen, Shelley  
**Subject:** Source for Permit 2-10343

Shelley,

11/7/2008

On February 14, 2008, I sent a letter to Bruce Smith, attorney for TFR Partnership (permit owner), requesting additional information with regards to application for permit 2-10343. A meeting was held in my office March 6, 2008 with Bruce Smith to address my questions regarding this permit application. Per my recollection, during that meeting Bruce stated the second point of diversion for this permit, which appears to be in a drain off the Snake River, back fills with Snake River water. In other words, the water in this drain comes from the Snake River rather than run-off, ground water, or any other source. Therefore, the only source listed on the permit application was the Snake River per Bruce Smith's comments and request during that meeting. If you have any other questions, please let me know.

Thanks,  
Angie

Angela M. Grimm  
IDWR - Western Region  
(208)334-2190

11/7/2008