

Edl, Michele

From: Edl, Michele
Sent: Tuesday, April 15, 2008 3:35 PM
To: 'Heather Carroll'
Cc: 'erick.powell@brockwayeng.com'
Subject: RE: SCR water right amendment
Follow Up Flag: Follow up
Flag Status: Red

I was discussing the Spring Canyon water rights with my supervisor when this email came in. I believe that IDWR is ok with adding the condition but in reviewing the files, Shelley is not quite happy with the acreage I shaped for 37-22250. If the decreed rights are referred to in the combined use conditions, then I have to make sure that I have given 37-22250 the same quarter-quarter acreage as the decreed shape. The shape I created is apparently one acre off. I have 17 acres in the SWSE but the decreed rights have 16 acres. This correction is one of several priorities for me this afternoon.
Michele

From: Heather Carroll [mailto:hcarroll@hh1898.com]
Sent: Tuesday, April 15, 2008 12:09 PM
To: Edl, Michele
Subject: RE: SCR water right amendment

Hi Michele,

Are you still working on this on your end? I just wanted to make sure the ball wasn't back in my court without my realizing it?

Thanks,
Heather

From: Heather Carroll
Sent: Tuesday, April 01, 2008 4:17 PM
To: 'Michele Edl'
Subject: FW: SCR water right amendment

Hi Michele,

Hopefully this makes sense to you and is an easy correction. If so, I can quickly turn the revised document.

Thanks,
Heather

From: Erick Powell [mailto:erick.powell@brockwayeng.com]
Sent: Tuesday, April 01, 2008 1:28 PM
To: Heather Carroll
Subject: RE: SCR water right amendment

Hi Heather,

As we discussed on the phone, here are the two licenses for permit # 37-8659 which IDWR split into two water rights 37-22250 and 37-22251. The only correction that we suggest is that the condition of approval for water right license 37-22250 (#5) should be identical to the condition of approval (#4) for water right 37-22251. Specifically it should have the same combination of water rights and the same area of irrigation (198.5 acres).

If you have any questions, please do not hesitate to contact our office.

5/30/2008

Regards,
Erick

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5/30/2008

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-22250

Date of Priority: August 03, 1990

Maximum Diversion Rate: 0.68 CFS

Comes now SPRING CANYON RANCH LLC
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080 and represents to the Director of the Idaho
Department of Water Resources that he is the owner and holder of Permit to Appropriate
the Public Waters of the State of Idaho No. 37-22250, and requests that the permit be changed as
follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.68 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SW1/4SE1/4 Sec. 18, Twp 02N, Rge 18E, B.M.

BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	18															17.0	17.0	34.0
																	L 5		

Total Acres: 34

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-548 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17							3.4 L 3	22.0 L 4	8.2	26.0	.9 L 1						60.5
02N	18E	18			15.0		1.1			25.0	.4				21.0	19.0	16.0 L 5	22.0	119.5

Total Acres: 180

I need to correct the shape for 37-22250 to fit with this section 17^

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. TBACKLUN 5/19/1995 COPIED FROM REMARKS

Comment: ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE. ***** OWNERSHIP CHANGE MADE 5/19/95. HUMBOLDT-FORMER OWNER, CROCKER TRUST-NEW OWNER. WARRANTY AND QUITCLAIM DEEDS INCLUDED.

2. SSHERMAN 7/15/1999 ADDRESS CHANGE

Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

3. SSHERMAN 11/3/1999 DATA ENTRY

Comment: CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

Dates and Other Information: