

Robertson, Jean

From: Jason [jason.helms@brockwayeng.com]
Sent: Monday, June 04, 2007 5:03 PM
To: Robertson, Jean
Subject: RE: BLM and Woodland Transfers

S&R retained only the 26.7 acre proportional split of all appurtenant rights. The deeds were created based on the split information I provided which you have.

Jason C. Helms, P.E.
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(208) 736-8543

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Monday, June 04, 2007 4:36 PM
To: Jason
Subject: RE: BLM and Woodland Transfers

In Jeff's comments when he split the two original rights last year, he said: *Ownership changes were filed by S & R Investments and Alan and Debra Woodland in July, 2006 for rights 36-2268A and 36-10090. S & R Investments conveyed their portions to Woodlands, so the rights were split. Right 36-2268A was split into 36-16454 (remainder) and 36-16455 (Woodland). Right 36-10090 was split into 36-16456 (remainder) and 36-16457 (Woodland). The owners for the remaining portions will stay as decreed. Note that the cfs amounts were conveyed through a warranty deed and are not proportional to deeded acres. Shapes for POU were not accurate because they did not match the decreed POU acres, so new shapes were generated based on PLS.*

I guess I'm a little confused that he said S & R conveyed their interest to the Woodlands? He left a part still in the **Large** name, which seems to be the part you show on your chart as S & R? Did S & R retain anything or did they convey to the Woodlands as Jeff indicated?

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

From: Jason [mailto:jason.helms@brockwayeng.com]
Sent: Monday, June 04, 2007 3:31 PM
To: Robertson, Jean
Subject: RE: BLM and Woodland Transfers

I definitely understand how messy these splits can get. I have the original transfers (signed by Woodlands and Youngs) here on my desk while I have been waiting for BLM approval of the transfer prepared in their name for the portion on BLM land. Let me know if there is anything else you need. And as soon as BLM is able to sign, I will bring over the original transfers and associated fees.

I believe you already have the deeds conveying the property and associated water rights from Samuel and Margaret Large to Northridge and then to S&R Investments. Woodlands received ownership of their portion by purchase and deed from S&R. Check for a letter from me on July 7, 2006 to Allen Merritt about the ownership change.

Thanks,

Jason C. Helms, P.E.
Brockway Engineering, PLLC
(208) 736-8543

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Monday, June 04, 2007 2:37 PM
To: Jason
Subject: RE: BLM and Woodland Transfers

Jason,

I've looked them over and I think I see what you are saying. It looks like the new records (remainders or unchanged portions) 36-16454 and 36-16456 that we now show as **Large**, should be **S & R Investments**. (I guess you will

6/5/2007

submitting something that allows that ownership change).

Then, 36-16455 and 36-16457 that we now show as Woodland will need to be split in the transfer process to separate the BLM's portion. It will also put the Woodland portion into a PPU. I don't think you will need to re-submit the transfers, I'll just use the new numbers. I will get back to Lisa at the BLM and explain it to her so she can get the correct signatures.

I hope you will bear with me while I try to get back up to speed on all these confusing things that happened so long ago! Sometimes I just have to really draw it all out so I can understand! Anyway...Thanks, Jeanie

-----Original Message-----
From: Jason [mailto:jason.helms@brockwayeng.com]
Sent: Monday, June 04, 2007 10:15 AM
To: Robertson, Jean
Cc: lisa_jaro@blm.gov
Subject: RE: BLM and Woodland Transfers

Jeanie,

The transfers were prepared before the splits, if you need me to rewrite the transfers to the new right numbers, I can do so. The Woodlands split contains both the BLM and Woodland remaining portions on the Large property. The remainder was to be transferred to Keco (Youngs). It was the intent and basis of the split agreement signed by Youngs and Woodlands that the remaining rights allow irrigation as currently configured at that time. When it is all said and done, I still believe the rights should be configured as shown below which maintains flow, volume and priority proportions as in the original water rights without the previously flawed acreages identified in the original rights. Please look over and help me understand why the rights cannot be split as shown.

EXISTING (Large) RIGHTS		
	1256	314.0 Ac.
Seq#	36-10090	36-2268A
Priority	3/15/1984	8/30/1954
Flow	1.14 cfs	4.49 cfs
Limit	4.49 cfs	
Acres	81	233
Ac. Limit	314 Ac.	
Volume	324.0 afa	932.0 afa
Vol. Limit	1256.0 afa	

Split To BLM		
128 afa	32.0 Ac.	
36-10090	36-2268A	
3/15/1984	8/30/1954	
0.12 cfs	0.46 cfs	
	0.46 cfs	
8.3 Ac.	23.7 Ac.	
	32.0 Ac.	
33.0 afa	95.0 afa	
	128.0 afa	

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Irrigation of BLM lands in 6S,
22E, Section 29 SWSW-32ac

WOODLAND (Large) PPU RIGHTS		
	1021.2 afa	255.3 Ac.
Seq#	36-10090	36-2268A
Priority	3/15/1984	8/30/1954
Flow	0.93 cfs	3.65 cfs
Limit	3.65 cfs	
Acres	65.9 Ac.	189.4 Ac.
Ac. Limit	255.3 Ac.	
Volume	263.4 afa	757.8 afa
Vol. Limit	1021.2 afa	

COMBINED WOODLAND&BLM RIGHTS		
	1149.2 afa	287.3 Ac.
Seq#	36-10090	36-2268A
Priority	3/15/1984	8/30/1954
Flow	1.04 cfs	4.11 cfs
Limit	4.11 cfs	
Acres	74.1 Ac.	213.2 Ac.
Ac. Limit	287.3 Ac.	
Volume	296.4 afa	852.8 afa
Vol. Limit	1149.2 afa	

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Friday, June 01, 2007 4:51 PM
To: jason.helms@brockwayeng.com
Subject: BLM and Woodland Transfers

Hi Jason,

Lisa Jaro of the BLM forwarded me copies of the two transfers you sent to her to look over and have signed. She forwarded copies to me as she was confused. I have been going over them and it seems that Jeff Peppersack already split the rights last year and he came up with different amounts than you are using in your transfers. In his comments he says that the rights were split per the warranty deeds, not proportionately to deeded acres.

36-2268A became 36-16454 - 45 acre remainder, 0.38 cfs (limited to 33.4 acres)
 36-16455 - Woodland, 4.11 cfs and 269 acres (limited to 199.6 acres)

36-10090 became 36-16456 - 45 acre remainder, .1 cfs (limited to 11.6 acres/enlargement)
 36-16457 - Woodland, 1.04 cfs and 269 acres (limited to 69.4 acres/enlargement)

Since the splits have already been done, shouldn't these transfers be using these numbers and figures instead of the amounts you have? Let me know what you think next week. Have a great weekend. Happy Western Days! Jeanie