

Robertson, Jean

From: Robertson, Jean
Sent: Monday, August 06, 2007 8:57 AM
To: Van Dyke, Nick
Cc: Skaggs, Pam
Subject: FW: Transfer #73520 - R J, L L C

Got this from Jason...

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

From: Jason [mailto:jason.helms@brockwayeng.com]
Sent: Monday, August 06, 2007 8:51 AM
To: Robertson, Jean
Cc: maria young; Steven D. Young
Subject: RE: Transfer #73520 - R J, L L C

Ouch, that is definitely a mistake. The agreement should read 315 ac. of 36-7042 and 240 acres of 36-8775 which was always the intent. I will prepare a corrected agreement to replace that.

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

From: Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]
Sent: Friday, August 03, 2007 2:55 PM
To: Jason
Subject: Transfer #73520 - R J, L L C

Jason,
I think there may be a problem with the **Irrigation Split Agreement** on this transfer. I heard back from the S.O. and they questioned Item #1 where it said "the division of 315 acres of water right 36-8775 (now 36-16476) and the entirety of water right 36-7042". I'm thinking that maybe the two rights were transposed in the agreement?

-36-7042 actually has an acre limit of 315, so the 240 acres should be split off of 36-8775, which had an acre limit of 1632 acres?

-On page one of the transfer, the AF amount for the portion of 36-8775 is 960 af, which at 4 AF/ac = 240 acres.

So I think it should read "the division of 240 acres of water right 36-8775 (now 36-16476) and the entirety of water right 36-7042"

What do you want to do about this since everyone signed off on it in 2005? (What a pain, huh?)

Thanks, Jeanie

8/6/2007