

Cox, Sharla

From: Alan_Bittner@blm.gov
Sent: Thursday, August 02, 2007 1:20 PM
To: Cox, Sharla
Subject: Dowton; Transfer 73707

Sharla,

This transfer has a map, with a shapefile that hits BLM. Nothing in the proposed WR is on BLM except for the map. I am inclined to protest based on the map because the whole application package can be considered and it appears the Dowton's have been using BLM (NESENW of Sec 20). If the Dowton's stop their pivot sooner, to avoid the BLM, then their acreage in the SWNE will have to be reduced as well. What do we have to do to change the shapefile on the map to agree with the proposed transfer?

thanks, al

Alan Bittner
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----- Forwarded by Alan Bittner/UCSC/ID/BLM/DOI on 08/02/2007 01:08 PM

Fredric
Price/IDSO/ID/BLM
/DOI

08/02/2007 12:24
PM

To
Alan Bittner/UCSC/ID/BLM/DOI@BLM

cc

Subject
Re: Dowton; Transfer 73707 (Document
link: Alan Bittner)

Al,

Yes, protest. I don't see any way around it, because IDWR can consider the entire application including the map. I don't believe that IDWR is limited to just the text portion of the application. We've seen this in the SRBA hundreds of times where IDWR gifts the applicant with stuff that they didn't claim but was found on the map (or aerial photo). Therefore in processing the transfer, IDWR might approve those acres on BLM that are actually contained in the application pursuant to the map which the applicant provided. IDWR's rationale may be that the text portion of the application contained an omission as it is clearly shown on the map what the applicant "intended."

In response to the question about what would resolve the protest, you say that the protest could be resolved if a new map excluding BLM land is officially substituted for the current map attached to the transfer.

Fred

Alan
Bittner/UCSC/ID/B
LM/DOI

08/02/2007 11:56
AM

To
Fredric Price/IDSO/ID/BLM/DOI@BLM
cc
Subject
Dowton; Transfer 73707

Fred,
This transfer looks ok on paper but the shapefile "clips" the BLM in the
SENW of Sec 20. Looks like the BLM is irrigated as well.
What do you do about correcting shapes? Protest the transfer?

al

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