

Roda, Evan

From: dylan@hedden-nicely.com
Sent: Thursday, September 12, 2024 8:31 AM
To: Roda, Evan
Cc: 'Scott Mannakee'; 'Ray Entz'; 'Claire Newman'
Subject: RE: Kalispel Water Right Claims (State Law, Basin 97) -- Part 2
Attachments: 1932 Big Meadows Air Photo.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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From: dylan@hedden-nicely.com <dylan@hedden-nicely.com>
Sent: Thursday, September 12, 2024 8:14 AM
To: 'Roda, Evan' <Evan.Roda@idwr.idaho.gov>
Cc: 'Scott Mannakee' <SMannakee@kalispeltribe.com>; 'Ray Entz' <rentz@kalispeltribe.com>; 'Claire Newman' <cnewman@kanjikatzen.com>
Subject: RE: Kalispel Water Right Claims (State Law, Basin 97) -- Part 1

Hi Evan,
I sent out the email below but it bounced back for being too big. I am resending it in two parts.

From: dylan@hedden-nicely.com <dylan@hedden-nicely.com>
Sent: Thursday, September 12, 2024 7:53 AM
To: 'Roda, Evan' <Evan.Roda@idwr.idaho.gov>
Cc: 'Scott Mannakee' <SMannakee@kalispeltribe.com>; 'Ray Entz' <rentz@kalispeltribe.com>; 'Claire Newman' <cnewman@kanjikatzen.com>
Subject: Kalispel Water Right Claims (State Law, Basin 97)

Hi Evan,
Thanks so much for helping us to develop the evidentiary basis for the claims we have submitted for a number of our properties in Basin 97. Although we continue to collect evidence, I wanted to transmit what we have so far, ask a few questions, and then see what additional information you'd like to see.

97-7544, 97-7543, 97-7541, 97-7004, 97-2017: Please find attached a map that show the POD and POUs for each of these rights, as well as how they work together.

97-7544, 97-7543, 97-2017: These are the statutory claims for which you were looking for evidence of priority date. So far, the earliest we have been able to find is an air photo from 1932 that shows the entire region was under cultivation at that time. That includes the place of use for 97-2017, which we claimed for a priority date of 6/2/1969. Given this additional evidence, would it be possible to recommend that claim have an earlier priority date?

In case, it helps we have also located a photo taken in 1937 that shows extensive ag in the valley:

<https://www.lib.uidaho.edu/digital/priestlake/items/priestlake162.html>

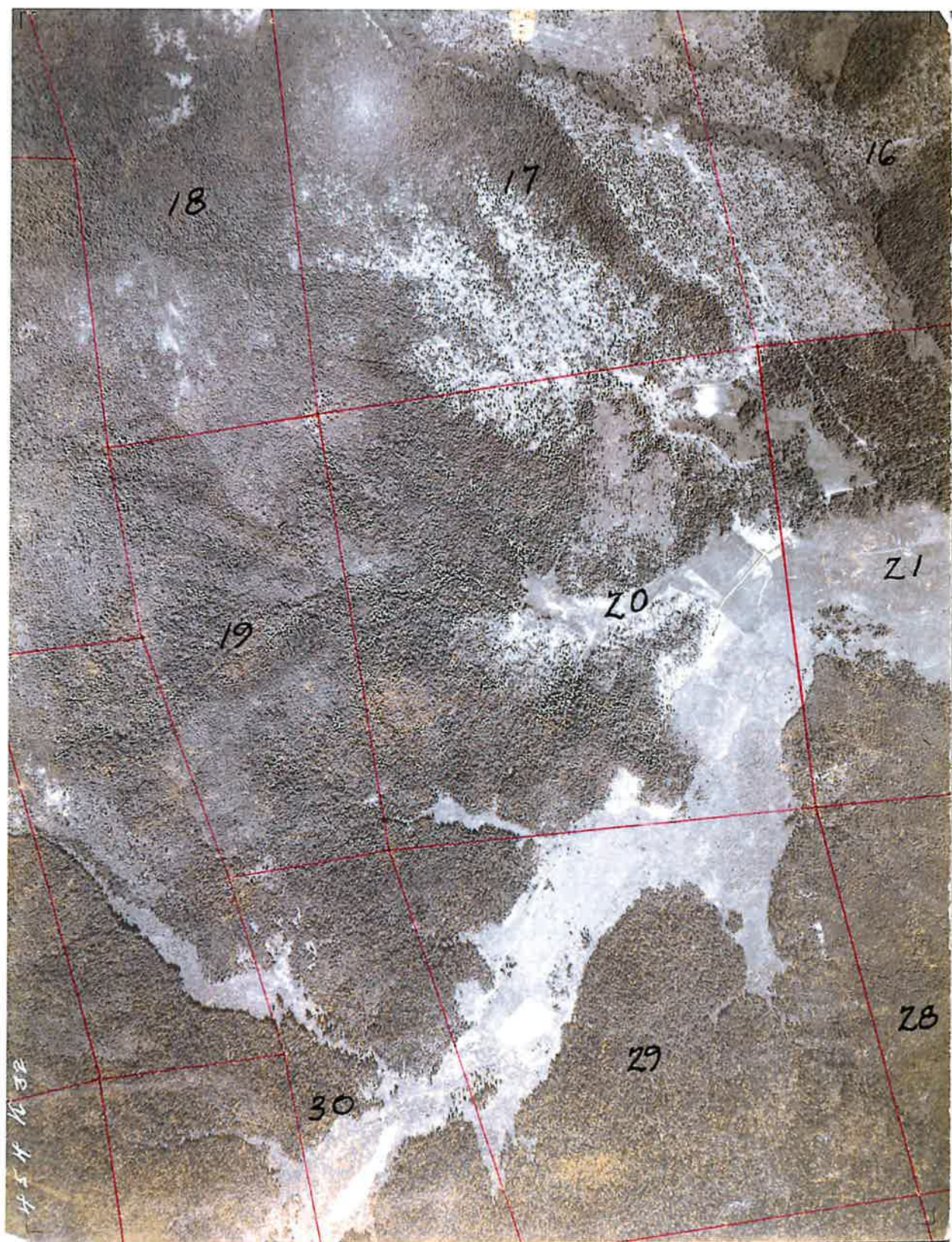
97-9716: This is a claim for instream stockwater on the same site as the water rights above. Talking with Ray Entz (Kalispel Director of Wildlife and Terrestrial Resources) this property was the base property for a USFS grazing allotment on adjacent National Forest property. Putting all of this together, the property was used to grow feed while the livestock were on the adjacent grazing allotment and then the livestock were moved back to the property for the winter months. We continue to work with the USFS to develop more information on this but have been having trouble getting in touch with anyone. Ray continues to work on it. For now, I have included a map Ray was able to get online.

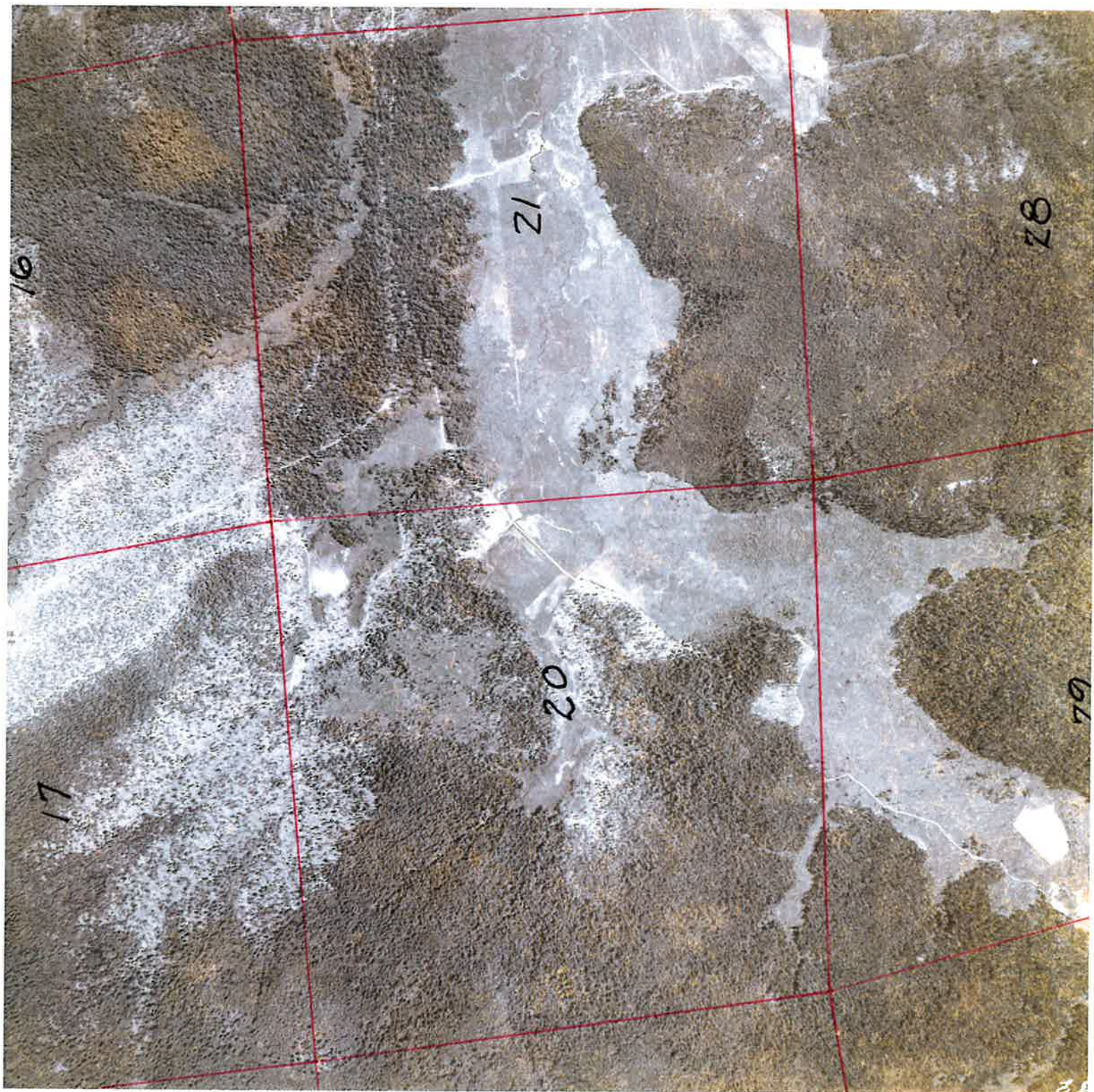
97-9716: This is a claim for instream stockwater on a parcel of property located on the Priest River. Although we are quite confident that stock have long been situated on the property, we are unable to find any evidence. Unfortunately, the former owners who briefed us on its use have passed away and their family is no longer in the region. We have looked through the chain of title and other information we have but have not been able to find anything. As such, I thought I would circle back around to you to see if you might have any suggestions for other types of evidence that might be acceptable before we start to think about withdrawing this claim.

Finally, we received the preliminary recommendations for 97-9715 and 97-9714. I noticed that 97-9714 is recommended for 0.04 cfs for domestic and 0.02 cfs for stockwater for a total of 0.06 cfs while 97-9715 is recommended for 0.02 cfs for domestic and 0.02 cfs for stockwater for a total of 0.02 cfs. Can you help us to understand why the domestic claim for 97-9715 is smaller than 97-9714 and why the total is not additive (as it is for 97-9714)?

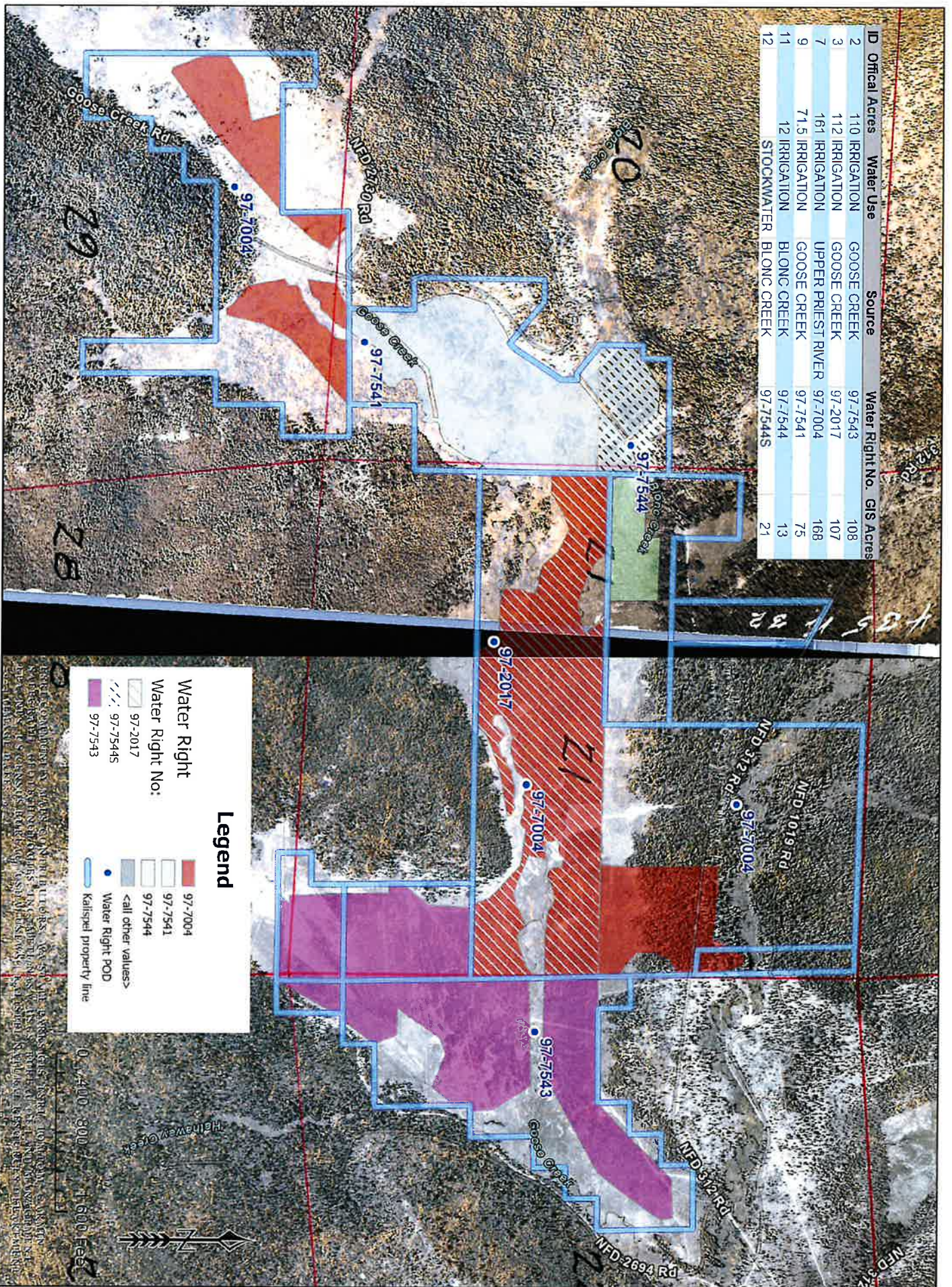
That's all for now, we continue to engage with the USFS to get more information (unless you think we have enough to support 97-9716 already) and look forward to hearing from you about the priority date for 97-2017, any suggestions you might have for 97-9716, and the quantity discrepancy between 97-9715 and 97-9714.

Thank you!





ID	Official Acres	Water Use	Source	Water Right No.	GIS Acres
2	110	IRRIGATION	GOOSE CREEK	97-7543	108
3	112	IRRIGATION	GOOSE CREEK	97-2017	107
7	161	IRRIGATION	UPPER PRIEST RIVER	97-7004	168
9	71.5	IRRIGATION	GOOSE CREEK	97-7541	75
11	12	IRRIGATION	BLONC CREEK	97-1544	13
12		STOCKWATER	BLONC CREEK	97-7544S	21



Legend

Water Right

Water Right No:

- 97-7004
- 97-7541
- 97-7544
- <all other values>

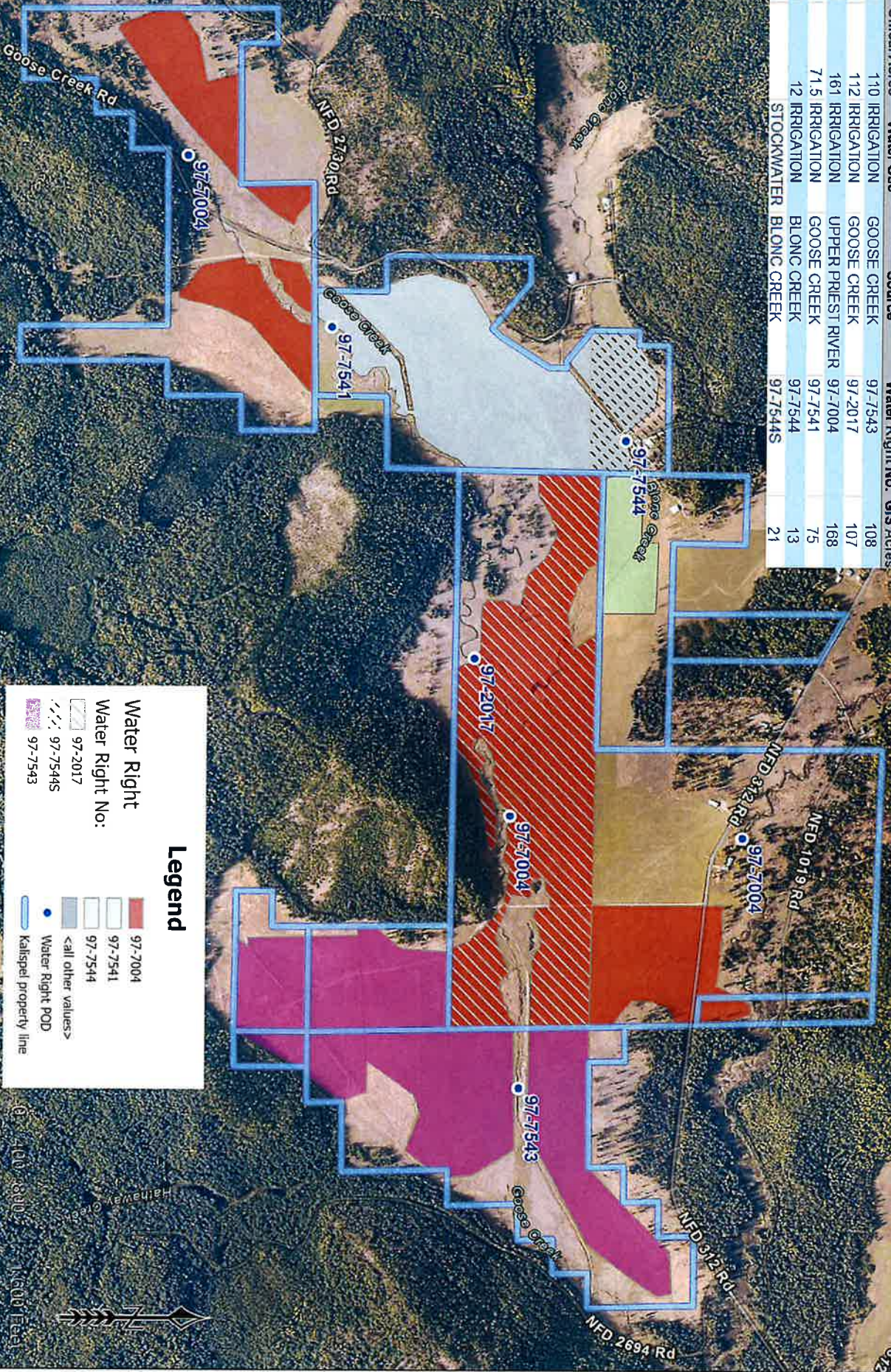
Water Right POD

Water Right property line

0 400 800 1600 Feet



ID	Official Acres	Water Use	Source	Water Right No.	GIS Acres
2	110	IRRIGATION	GOOSE CREEK	97-7543	108
3	112	IRRIGATION	GOOSE CREEK	97-2017	107
7	161	IRRIGATION	UPPER PREST RIVER	97-7004	168
9	71.5	IRRIGATION	GOOSE CREEK	97-7541	75
11	12	IRRIGATION	BLONG CREEK	97-7544	13
12		STOCKWATER	BLONG CREEK	97-7545	21



Water Right
Water Right No:

97-7004

97-7541

97-7544

<all other values>

97-2017

97-7545

97-7543

Water Right POD

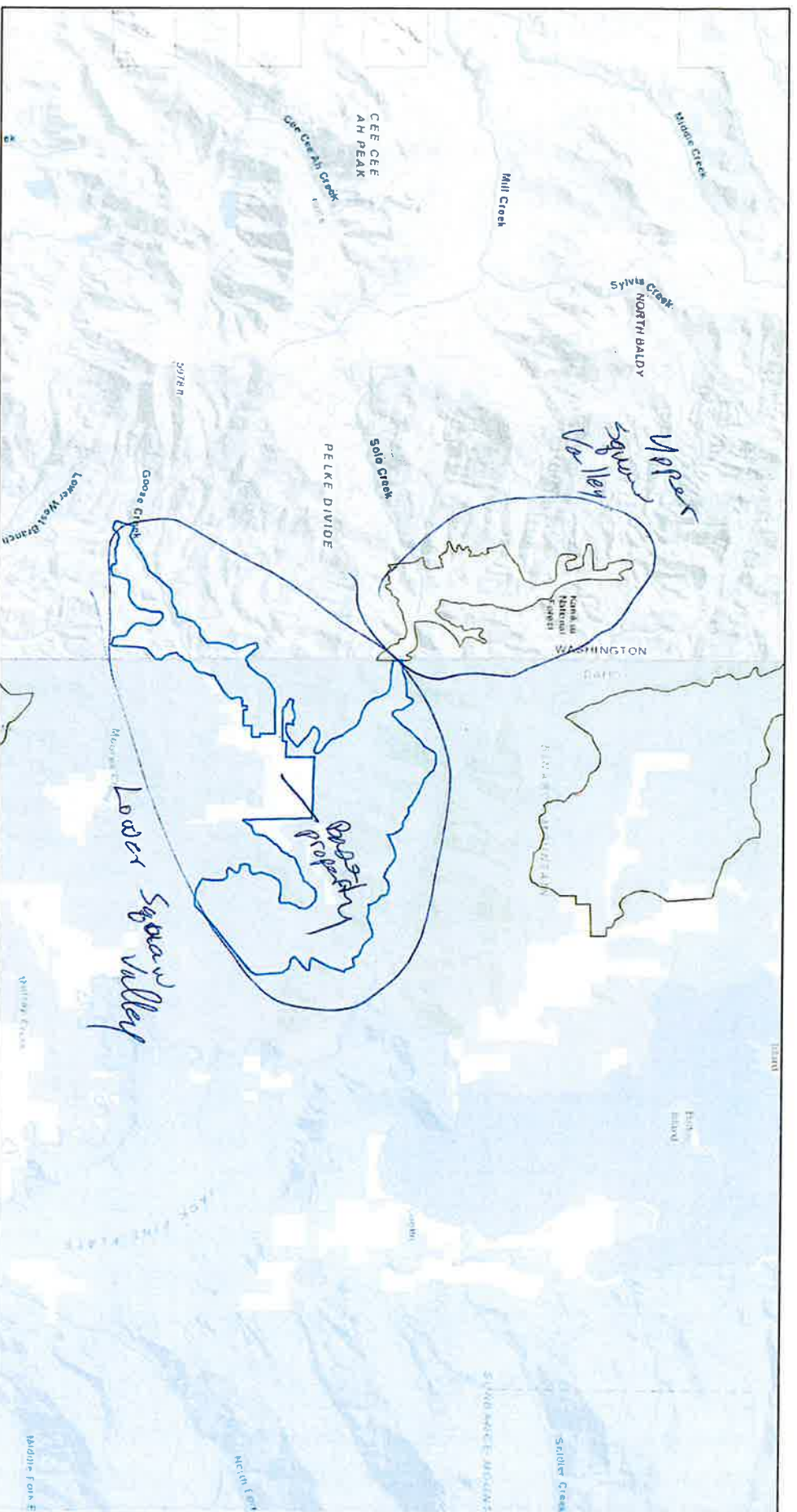
Kalspel property line

0 100 200 400 Feet



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Idaho Grazing Allotments



August 27, 2024

Idaho_Grazing_Allotments

Idaho Surface Management Agency

US Forest Service

Private

Other State

State

Other Federal

1:144,448
0 1 2 4 mi
0 1.75 3.5 7 km

Bureau of Land Management, Province of British Columbia, Eastern Canada, USA, NGA, EPA, USDA, NPS, Chris Haines (GIS Analyst III)

