

Holliday, Michael

From: Holliday, Michael
Sent: Friday, April 26, 2024 12:02 PM
To: Chris Ward
Cc: andy@sawtoothlaw.com; wardrd207@gmail.com
Subject: RE: Ward water right transfer 88338

Chris,

Thanks for the affidavits. After looking them over, I think I now understand the source of the confusion. In July 2023 two separate processes were set into motion. My inquiry is limited to process #2 below.

Process #1: RB Ward Ranch LLC filed claim 15-7504 in the Bear River Basin Adjudication. I think the affidavits you emailed me on Tuesday pertain to that BRBA claim, and I suspect those affidavits are currently located in BRBA claim file 15-7504 in our Preston office, assuming you submitted them at the time you filed the claim. In the future, adjudication staff in Preston will review adjudication claim 15-7504, along with the affidavits in the file, and will submit IDWR's recommendation on the claim to the BRBA Court.

Process #2: RB Ward Ranch LLC filed Transfer 88338 to change the point of diversion of a 16.7-acre portion of statutory claim 15-4195. The point of diversion currently described in statutory claim 15-4195 is located approximately 2200 feet north of the well described in the affidavits you sent on Tuesday. Those affidavits have nothing to do with Transfer 88338. In order to approve Transfer 88338, we need evidence that the water use described in statutory claim 15-4195 is valid (that the use actually occurred as claimed). Please provide us with documentation that shows the historical development of water use on the property. For example, we need to know the diversion capacity of the original well (located in the SENE Sec 17 T14S R36E) and delivery system and how the water was diverted and used for irrigation (especially in the NESE Sec 17 T14S R36E) prior to 1963.

Due to the confusion about the water use in question, IDWR would like to give you additional time to provide the evidence needed. If we do not receive the requested information by May 28, 2024, your application for transfer will be denied.

If you have any questions, please feel free to contact me at (208)525-7161.

Respectfully,

Michael Holliday

From: Chris Ward <crw756@gmail.com>
Sent: Tuesday, April 23, 2024 6:04 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: Re: Ward water right transfer 88338

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IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

March 28, 2024

RB WARD RANCH LLC
305 W 400 N
MALAD ID 83252

Dear Applicant,

On July 18, 2023, we received your application to change the point of diversion of a 16.7-acre portion of statutory claim 15-4195. As you may know, a statutory claim is not a water right, but rather a claim to a water right.

In order to approve your transfer application we need evidence that the water use described in the statutory claim is valid (that the use actually occurred as claimed). Please provide us with documentation that shows the historical development of water use on the property. For example, we need to know the diversion capacity of the original well (located in the SENE Sec 17 T14S R36E) and delivery system and how the water was diverted and used for irrigation prior to 1963. I have enclosed a brochure created by the Adjudication Bureau that may help you understand the types of documents that could be used as evidence. If we do not receive the requested information within 30 days, your application for transfer will be denied.

If you have any questions, please feel free to contact me at (208)525-7161.

Respectfully,

Michael Holliday
Water Rights Supervisor