

Cefalo, James

From: Cefalo, James
Sent: Friday, January 27, 2023 9:48 AM
To: Woodard, Mleah - FS; rlshively@mudlake.net
Cc: Waverek, Chris -FS, NORTH FORK, ID; Macfarlane, William -FS; Deschaine, David -FS
Subject: RE: Draft Approval Documents - Shively 75-13989
Attachments: PXL_20210915_141037712.jpg; PXL_20210915_141958621.jpg; PXL_20210915_142015759.jpg; PXL_20210915_142255781.jpg; Withdrawal of Protest Form.pdf

M'Leah,

Thank you for checking in on this case. I assigned an agent to complete the field exam in 2021 and, given the case load in our Idaho Falls office, have never followed up on the assignment. Our agent, Brian Normandeau, conducted a field exam in September 2021. He confirmed that the Shivelys have constructed their own spring box and have disconnected from the Forest Service pipeline. Attached are some of the photos from the field inspection. I've asked Brian to prepare a memo summarizing his observations from the field exam.

With the confirmation field exam completed, I think the Forest Service can now withdraw its protest against the Application to Amend Permit 75-13989 prior to licensing. Once the protest is withdrawn, the Department will move forward with approving the amendment and issuing a final water right license, consistent with the draft approval documents attached to the August 27, 2020 email.

James

 IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
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(208) 525-7161 | www.idwr.idaho.gov

From: Woodard, Mleah - FS <MLEah.Woodard1@usda.gov>
Sent: Tuesday, January 10, 2023 4:20 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; rlshively@mudlake.net
Cc: Waverek, Chris -FS, NORTH FORK, ID <chris.waverek@usda.gov>; Macfarlane, William -FS <william.macfarlane@usda.gov>; Deschaine, David -FS <david.deschaine@usda.gov>
Subject: Draft Approval Documents - Shively 75-13989

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Greetings,

Jamie Gough, who had been handling this matter for the Forest Service, retired a few weeks ago.

I am writing to inquire about the status of this matter.

In Mr. Cefalo's August 27, 2020 email (below), he asks that the parties let him know when the box is in place; IDWR will then schedule a field visit.

I understand that the box is in place. Mr. and Ms. Shively, are you able to confirm?

There is snow on the ground at the moment, but a field visit in March or April will be feasible. Forest Service personnel would be glad to attend.

Thank you,



M'Leah Woodard
Water Rights and Uses Program Manager
Forest Service
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From: Gough, Jamie -FS

Sent: Monday, September 14, 2020 3:26 PM

To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; rlshively@mudlake.net; Gebhardt, Kenneth J -FS
<kenneth.gebhardt@usda.gov>; Macfarlane, William A -FS <william.macfarlane@usda.gov>

Subject: RE: Draft Approval Documents - Shively 75-13989

James,

Thank you for drafting the conditions for approval of the water rights application and the license pertaining to 75-13989 (Shively). We have reviewed those conditions and find them satisfactory provided that the Shivelys move forward this fall (Fall 2020) with constructing a separate spring box and a separate water line from the spring to their home. You indicated in your email that you will conduct a final field review of the system before issuing the license. At that time, if all appears in order, we will formally withdraw our protest to the application.

If you have any questions or concerns please let us know. We appreciate your efforts to bring this matter to a final resolution.



Jamie Gough
Water Rights and Uses
Idaho-Wyoming Coordinator

Forest Service
Intermountain Region 4

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