

Saxton, Craig

From: Saxton, Craig
Sent: Friday, January 21, 2011 11:03 AM
To: Lester, Steve
Cc: Bromley, Chris; Fritschle, Carter; Skaggs, Pam
Subject: SRBA Objection to 67-7851 can be resolved by processing TR 76775

Hey Steve,

We have a SRBA hearing coming up on Feb 1 in regards to an objection BLM filed against their own water right 67-7851. I recommended this as it was licensed, but BLM says it was licensed wrong. In short, they needed to file a transfer to fix the POD and POU legal description. Along with the Objection, they submitted a transfer application. I looked it up and the application number is 76775.

I understand that you might be sending some transfers this way. If you have TR76775, that might be a good one to send on over if you don't mind. If we can get it going, we can at least tell Special Master Booth that we are processing the transfer and working toward a resolution to the objection.

Let me know what you think if you have a minute.

Thanks,
Craig

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7851 V1

WATER RIGHT NUMBER: 67-7851 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 09/04/1990

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	DEER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE	1/01 to 12/31	0.030 CFS	0.70 AF
STOCKWATER	1/01 to 12/31	0.030 CFS	0.70 AF
	<u>Total Diversion:</u>	0.030 CFS	1.40 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SE1/4	Sec. 6, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

WILDLIFE Within WASHINGTON County

T14N R03W S06 SESE

STOCKWATER Within WASHINGTON County

T14N R03W S06 SESE

Conditions of Approval:

1. BLM RECORD ID = 6701480902
2. X02 Stockwater use is for 50 cattle.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. L12 This right and other rights common to the same grazing allotment shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

Remarks:

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Comments:

1. DSHAFF 6/28/1995 REVIEW

Comment: THIS RIGHT WAS CLAIMED AS A67-12803. SOME OF THE ELEMENTS WERE DIFFERENT THAT THOSE ON THE LICENSE. THE RIGHT IS RECOMMENDED AS LICENSED SINCE THE PRIORITY DATE AND DEVELOPMENT IS AFTER THE COMMENCEMENT DATE. THE WATER USE AND RATE/VOLUME MAY IN FACT BE DIFFERENT BUT A TRANSFER OF THE RIGHT WOULD BE NECESSARY.

2. csaxton 3/23/2010 Claim History

Comment: 67-12803 was recommended as disallowed. There was no claim record for 67-7851 but there was an active recommendation record. Because a claim record did not exist for 67-7851 the active recommendation has not been reported to the court. I created a claim record for 67-7851 and will report the recommendation to the court in the next late claim DR.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/23/2010	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/23/2010 3:46:20 PM	csaxton	Updated Shape
Summary	3/23/2010 3:44:59 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?