

Roda, Evan

From: dylan@hedden-nicely.com
Sent: Thursday, May 1, 2025 4:38 PM
To: Roda, Evan
Cc: 'Lorraine Parlange'; 'Scott Mannakee'; 'Ray Entz'
Subject: RE: CFPRBA Claim nos. 97-7541 & 97-7544
Attachments: BigMeadowsHistFarming.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Evan

Thanks so much for bearing with me as I worked through the issues below with our staff. I'll response to your inquiries one at a time:

97-7541 –

- **Priority date:** We had our tribal GIS work with the Tribe's Director of Wildlife and Terrestrial Resources to identify where on the 1932 air photo there is evidence of cultivation. The results of that analysis are attached. Those results show that—on the day this photo was taken—the farmers had begun to hay a portion of 97-7541. In addition, there is evidence of further haying activity taking place throughout the subject property. As you know, haying in 1932 was an incredibly time-consuming process depending on the machinery the farmers had at their disposal. Furthermore, this air photo represents a snapshot in time, showing the progress made on the date the photo was taken. From this we argue that (1) the landowners were actually cultivating not only in the POUs for 97-7541 and 97-7544 during this time period but *throughout* the subject property; (2) this photo demonstrates that cultivation was actually occurring in the POU for 97-7541; and (3) it appears that on the day this photo was taken, they were working their way further into the POU for 97-7541. Given these factors, we respectfully ask you to reconsider our request for IDWR to recommend a priority date of 1932.
- **Field Exam:** I have learned from Ray Entz (the manager of this property) that the Tribe was unable to secure a hay lease this year for this property. As a result, the Tribe does not currently plan to use its irrigation system this year. Having said that, Ray has indicated that he would be happy to meet a field examiner on the property to show them the headgate system on the property and related irrigation works.

97-7544 –

- **Purpose of Use:** We appreciate that the affidavit you refer to does not expressly indicate that irrigation was taking place at this POU. However, If you once again refer to the 1932 air photo, you'll see that *at least* 12 acres of land have clearly been cultivated in the POU for 97-7544. I surmise that the remainder of the land was being used for stockwater purposes. From this, we hope that IDWR will be able to recommend the water right have an irrigation purpose of use with a priority date of 1932.

In addition, I have a few follow up questions that I wanted to ask you:

1. I have looked on the Water Rights Research page but have not been able to determine whether the following water right numbers have been claimed by anyone:
 - 97-4011
 - 97-4012
 - 97-4018
 - 97-8766

Could you please let me know if they have been claimed and/or IDWR is currently investigating them?

2. Can you tell me a little more about IDWR's policy for determining when a field exam is necessary? Could you direct me to where I could review that policy?

Thanks so much for your careful consideration of these claims. We really appreciate your help. DHN.

From: Roda, Evan <Evan.Roda@idwr.idaho.gov>

Sent: Monday, April 21, 2025 7:12 AM

To: dylan@hedden-nicely.com

Cc: 'Lorraine Parlange' <lparlange@kalispeltribe.com>; 'Scott Mannakee' <SMannakee@kalispeltribe.com>; 'Ray Entz' <rentz@kalispeltribe.com>

Subject: RE: CFRBA Claim nos. 97-7541 & 97-7544

Good morning Dylan,

Thank you for your response. I will standby for that additional information.

~ Evan

From: dylan@hedden-nicely.com <dylan@hedden-nicely.com>

Sent: Sunday, April 20, 2025 7:37 PM

To: Roda, Evan <Evan.Roda@idwr.idaho.gov>

Cc: 'Lorraine Parlange' <lparlange@kalispeltribe.com>; 'Scott Mannakee' <SMannakee@kalispeltribe.com>; 'Ray Entz' <rentz@kalispeltribe.com>

Subject: RE: CFRBA Claim nos. 97-7541 & 97-7544

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Hi Evan

Apologies for the delay. Folks at Kalispel have provided some additional information but I have not had a chance to review it yet. I will get back to you asap.

From: Roda, Evan <Evan.Roda@idwr.idaho.gov>

Sent: Thursday, April 3, 2025 10:02 AM

To: Dylan R. Hedden-Nicely <dylan@hedden-nicely.com>

Subject: CFRBA Claim nos. 97-7541 & 97-7544

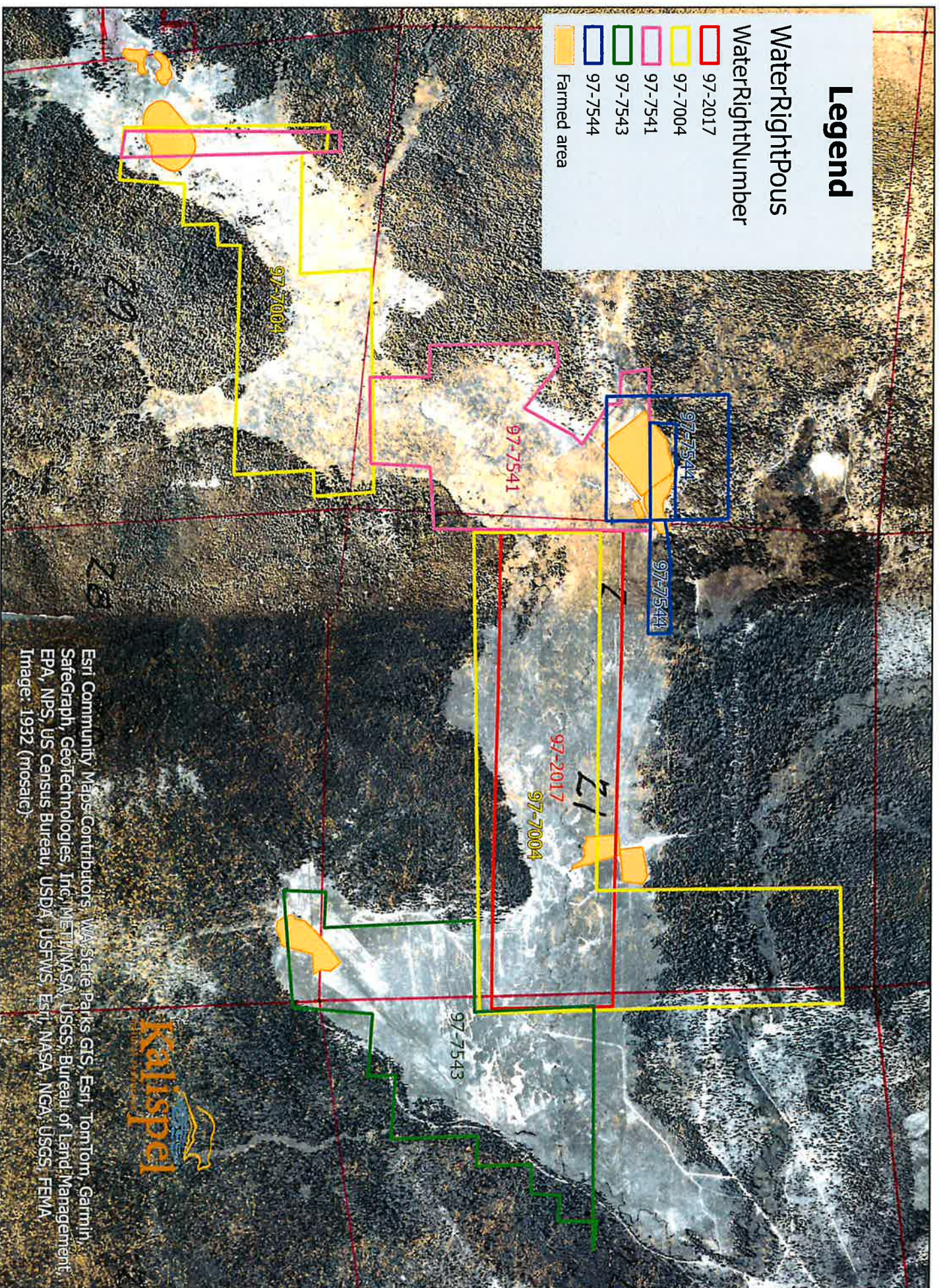
Good morning Dylan,

Legend

WaterRightPous

WaterRightNumber

- 97-2017
- 97-7004
- 97-7541
- 97-7543
- 97-7544
- Farmed area



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