

Henman, Christina

From: Rohn Nelson <fullcurl@custertel.net>
Sent: Sunday, May 17, 2026 11:53 AM
To: Henman, Christina
Cc: Robert L. Harris
Subject: Re: Application for Permit 74-16708 & Application for Transfer 90405

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Christina,

I apologize. Your email stated, "Please contact this office if you have any questions regarding the application."

Thank you for responding back to me.

Respectfully,

Rohn Nelson
Open Buckle Auction Service
1531 Lemhi Road
Salmon, ID 83467
(907) 982-5551
fullcurl@custertel.net

On May 15, 2026, at 4:27 PM, Henman, Christina <Christina.Henman@idwr.idaho.gov> wrote:

Rohn,

Questions regarding the content of applications should be directed to the applicants, as the Department is not able to answer questions or explain intent on their behalf.

As far as your final question regarding whether a new filing fee will need to be paid if you choose to file a protest, the answer is yes; a filing fee is required for any new protest. Regardless of how similar one application may be to another, separate applications must each go through their own process and require their own filings.

Thank You,

Christina Henman
Administrative Assistant

From: Rohn Nelson <fullcurl@custertel.net>
Sent: Thursday, May 14, 2026 3:11 PM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Cc: Robert L. Harris <rharris@holdenlegal.com>
Subject: Re: Application for Permit 74-16708 & Application for Transfer 90405

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Christina,

Application for Permit, 74-16708.

Item 12., on Application for Permit, 74-16708, states, "This permit will be administered as junior to other users on Sandy Creek."

What will the priority date be for Application for Permit, 74-16708, provided it is approved?

Item 12., on Application for Permit, 74-16708, states, "Since permit is being combined with existing right, 74-14983, it will not create additional demand on Sandy Creek."

Specifically, how is this permit being combined with existing right, 74-14983?

How will this permit not create additional demand on Sandy Creek if this is a new POD and a new POU?

Will the amount of water being diverted for water right, 74-14983, be reduced to provide 0.04 cfs for permit, 74-16708?

Will combining permit, 74-16708, with existing water right, 74-14983, create a new POU and POD for water right 74-14983 with a 05/01/1885 priority date?

Application for Transfer of Water Right, 90405.

Part 2 (C), Current Location of Irrigated Acres.

The applicant checked the box indicating "N/A." "This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right."

The applicant did not provide any response or information in the table Current Location of Irrigated Acres to be Changed, or for Total Irrigated Acres to be Changed.

Item 4., Application for Permit, 74-16708, states the location of point(s) of diversion are T20N, R23E, Sec. 24, SESE, which is not a POD for water right, 74-14983.

The map attached to Permit Application, 74-16708, depicts both a new POD and a new POU.

Is Application for Transfer of Water Right, 90405, proposing to change the place of use of water right 74-14983?

Is Application for Transfer of Water Right, 90405, proposing to change the point of diversion for water right 74-14983?

The map attached to Permit Application, 74-16708, depicts both a new POD and a new POU.

The map attached to Application for Transfer of Water Right, 90405, depicts a much larger place of use than applied for with Application for Permit, 74-16708.

The map attached to Application for Transfer of Water Right, 90405, has no points of diversion depicted.

What point(s) of diversion will be used to irrigate the new places of use depicted on the map attached to Application for Transfer of Water Right, 90405?

The map attached to Application for Transfer of Water Right, 90405, states that it depicts 73.7 acres within the Natelson Parcel that could be realistically irrigated and the overlapping application, 74-16687.

Application for Permit, 74-16687, has been withdrawn.

Part 3 – Description of Proposed Changes

Part 3 (A), Purpose of Transfer

Identify the changes proposed in this application:

The applicant did not check the box indicating "Change point(s) of diversion."

The applicant checked the box indicating "Change place of use."

The applicant's answers provided in Part 2 (C) and in Part 3(A) are ambiguous.

Does Application for Transfer of Water Right, (74-90405), propose to change the place of use?

Does Application for Transfer of Water Right, (74-90405), propose to change the point(s) of diversion?

Part 3 (B), Proposed Changes

The applicant provided, "Updating shape file to reflect actually irrigated acres and creating a combined POU with a proposed new application for permit so no additional demand is put on Sandy Creek." "14.3 acres are changing legal descriptions."

What 14.3 acres are changing legal descriptions?

What water right or permit will be used to irrigate the 14.3 acres?

What point of diversion will be used to divert water to irrigate the 14.3 acres?

How will this transfer not create additional demand on Sandy Creek if an additional 14.3 acres will be irrigated if it is approved?

I look forward to your responses to the above questions. I appreciate your prompt response, as your responses will aid me in determining whether to submit a notice of protest for either Application for Permit, 74-16708, Application for Transfer of Water Right, 90405, or both.

Since I originally submitted a Notice of Protest for Application for Permit, 74-16687 and it was withdrawn, and submitted the required \$25.00 filing fee, will I be charged again to submit a notice of protest for Application for Permit, 74-16708?

Respectfully,

Rohn Nelson
Open Buckle Auction Service
1531 Lemhi Road
Salmon, ID 83467
(907) 982-5551
fullcurl@custertel.net

On May 13, 2026, at 12:08 PM, Henman, Christina
<Christina.Henman@idwr.idaho.gov> wrote:

Dear Interested Party,

The Idaho Department of Water Resources (IDWR) has identified you as an interested party regarding the attached water right applications.

Public notice of these applications will be published as described within the application document. IDWR can finish reviewing an unprotested application as soon as the protest period has passed. If you desire to formally protest the approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. You must also send a copy of the protest to the applicant.

Please contact this office if you have any questions regarding the application.

Thank You,

<image001.png>

<74-16708 Permit Application through Legal Notice.pdf><90405 Permit Application through Legal Notice.pdf>