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## Draft Permit Approvals

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**Date** Mon 7/27/2026 8:18 AM

**To** fullcurl@custertel.net <fullcurl@custertel.net>; Robert Harris <rharris@holdenlegal.com>; nlights76@outlook.com <nlights76@outlook.com>; Norman M. Semanko <nsemanko@parsonsbehle.com>; Richards,Jeff <jeff.richards@idfg.idaho.gov>; Ann Yribar <ann.vonde@ag.idaho.gov>

 5 attachments (1 MB)

7-27-26 Draft Permit 74-16708.pdf; 7-27-26 Draft Permit 74-16707.pdf; 7-27-26 Draft Permit 74-16706.pdf; 7-27-26 Draft Permit 74-16703.pdf; Transfer 90405.pdf;

Dear Parties:

Thank you for participating in the joint informal settlement conference last week. It sounds like all of the protested applications may be on a path to resolution. During the conference I agreed to prepare draft permits for all of the protested applications and two of the Nelson applications that are not protested. Attached are the draft approvals.

For the Nelson applications, I have a concern about approving overlapping applications from the same source. To address this concern, I prepared the two permit approvals reflecting two separate irrigation systems. I combined water rights 74-1799B, 74-16703 and 74-16706 onto the larger Nelson parcel. The three rights, in combination, cover 22 acres.

Similarly, I combined water rights 74-16686 and 74-16707 onto the smaller Nelson parcel, where the home and primary buildings are located. These two rights, in combination cover 1.7 acres.

During the conference we discussed the concept of regulating the new points of diversion on Sandy Creek according to the priority dates of the pending applications. I have added a condition to draft permits 74-16706 and 74-16708 to confirm that the new points of diversion will be administered according to the permit priority date, even if the rights share a combined place of use with more senior rights.

For the IDFG condition request, I could not find a standard condition that described the exact mesh size to be used on a pipeline intake. Such a condition may have existed in the past, but I could not find it. I added the standard condition requiring compliance with IDFG fish screening requirements. This standard condition should be broad enough to require compliance with current standards.

Please respond to this group email with any comments, edits, or concerns on or before Friday, August 7, 2026.

James