


MEMORANDUM

Date: June 7, 2017
To: Application for Permit 01-10609
From: Pamela Skaggs 
Re: Protestant Status Review

The applicant's attorney provided stipulated agreements for two (2) of the eight (8) remaining Idaho Water Resource Board active applications for permit for recharge purposes originally filed in 1998. As part of the application review process for 1-7142 and 1-10609 the status of protests was researched and confirmed for each right as shown in the attached spreadsheet.

The review found original application 2-7474 was advertised in 1998 and subsequently renumbered to basin 1 as 1-7143, then modified and re-advertised in 2013 as 1-10609. The Department's 2-25-2013 letter regarding the advertisement of modified application 1-10609 was sent to all the original protestants of 2-7474 then identified as 1-7143. The letter advised the Department would recognize their original protest on the earlier version of the application and apply it towards the new application only upon timely written notification to do so. US Fish & Wildlife Service, and Fred & Betty Kippes, did not respond and were removed from the protested matter.

This approach is not unreasonable and the non-responding parties should no longer be considered active protestants for 1-10609.

Active Right Number	Original Right Number	Protestant or Intervenor Name	Protestant or Intervenor P/I	Date Protest or Intervene Received	Readvertised? Y/N	Date Readvertised	Date Letter Requesting Reconfirmation of Protest Sent	Date Protest Reconfirmed as Letter Requested	Date Protest Withdrawn or Resolved	Active Protest Y/N
1-7142	2-7473	Idaho Power	P	7/29/1998	N			3/19/2013	4/14/2017	N
1-7142	2-7473	Idaho Fish & Game	P	7/29/1998	N				4/14/2017	N
1-7142	2-7473	Bureau of Reclamation	P	7/29/1998	N			3/25/2013	2/1/2017	N
1-7142	2-7473	US Fish & Wildlife Services	P	7/29/1998	N					Y
1-7142	2-7473	Idaho Water Users Assn Inc	I	12/3/1998	N				4/14/2017	N
1-7142	2-7473	Trout Unlimited	I	8/28/2013	N				4/14/2017	N
1-10609	2-7474	Idaho Rivers United	P	5/19/1998	Y	3/7/2013	2/25/2013	2/27/2013	4/14/2017	N
1-10609	2-7474	Idaho Power	P	7/29/1998	Y	3/7/2013	2/25/2013	3/21/2013	4/14/2017	N
1-10609	2-7474	Idaho Fish & Game	P	7/29/1998	Y	3/7/2013	2/25/2013	3/15/2013	4/14/2017	N
1-10609	2-7474	Bureau of Reclamation	P	7/29/1998	Y	3/7/2013	2/25/2013	3/25/2013	2/1/2017	N
1-10609	2-7474	US Fish & Wildlife Services	P	7/29/1998	Y	3/7/2013	2/25/2013			N
1-10609	2-7474	Idaho Water Users Assn Inc	I	12/3/1998	Y	3/7/2013	2/25/2013	3/14/2013	4/14/2017	N
1-10609	2-7474	Fred & Betty Kippes	P	8/14/1998	Y	3/7/2013	2/25/2013			N
1-10609	2-7474	Idaho Conservation League	P	3/25/2013	Y	3/7/2013			10/12/2016	
1-10609	2-7474	Trout Unlimited	P	3/25/2013	Y	3/7/2013			4/14/2017	N
1-10609	2-7474	Bureau of Land Management	P	3/25/2013	Y	3/7/2013			4/14/2017	N
1-10609	2-7474	A&B, AF, Burley, Milner Irr Districts, NSCC & TF Canal Co	P	3/25/2013	Y	3/7/2013			4/14/2017	N

The 4 modified/combined applications (1-10609, 1-10612, 1-10613 & 21-13160) of the 8 remaining active applications in 2013 were readvertised. Protestants of applications associated with the readvertised applications were sent a letter requiring them to reconfirm their interest in their original protests by timely written notification. No response eliminated them from the protested matter for the newly advertised applications.

- Right 1-10609 was readvertised and no confirmation of interest was received from US Fish & Wildlife Services or Fred & Betty Kippes.

The 4 unmodified applications (1-7142, 21-7577, 21-7578 & 21-7580) of the remaining 8 active applications in 2013 were not readvertised & protestants were not required to submit confirmation of continued interest in the application.

- Right 1-7142 was not readvertised and US Fish & Wildlife Services remains an active protestant.

ps 6-1-2017