

## Lester, Steve

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**From:** Keen, Shelley  
**Sent:** Thursday, September 01, 2011 4:10 PM  
**To:** Lester, Steve  
**Subject:** FW: Meeting Request - 63-32703 (Unprotested Application)

Steve,

Will you see that a copy of the following email string is placed in the application file for 63-32703?

Thanks.

Shelley

-----Original Message-----

**From:** Keen, Shelley  
**Sent:** Thursday, September 01, 2011 4:07 PM  
**To:** 'semanko@nwinet.com'  
**Subject:** RE: Meeting Request - 63-32703 (Unprotested Application)

Norm,

Thanks for arranging the meeting to discuss Application 63-32703. I appreciated meeting your clients and hearing their plans firsthand.

The Director has serious concerns regarding water availability for this project given the known water issues in the nearby Mountain Home Ground Water Management Area and the Cinder Cone Butte Critical Ground Water Area surrounding the project and the fact this application is one of the more junior applications of the eight pending applications. Pumping in the area of the pending applications may further deplete the water supply for existing rights in the management areas and if all the applications are subsequently approved, there is a high likelihood that this water right would be subject to curtailment. That said, the Director is willing to consider granting the permit with conditions, but wants that discussion to take place in the context of the consolidated proceeding. The Department plans on issuing the letter regarding the consolidated proceeding this week or next. I think your suggestion that this application should be approved because this project is ready to pump and important data could be collected to help study the water is a good issue to bring up in the consolidated proceeding.

Regards,

Shelley Keen  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 287-4947  
[shelley.keen@idwr.idaho.gov](mailto:shelley.keen@idwr.idaho.gov)

-----Original Message-----

**From:** Norm Semanko [<mailto:semanko@nwinet.com>]  
**Sent:** Tuesday, August 30, 2011 12:04 PM  
**To:** Keen, Shelley

Cc: Baxter, Garrick; David Hensley; Robert Knorr; Rodger Johnson; Spackman, Gary  
Subject: Meeting Request - 63-32703 (Unprotected Application)

Shelley,

Thanks again for the meeting. Rodger Johnson and Rob Knorr of Orchard Ranch LLC are anxious to hear back from IDWR with regard to their unprotected permit application. We believe we provided a reasonable and workable alternative that is procedurally and substantively sound and hope you will agree.

Please advise at your earliest opportunity.

Thank you.

Norman M. Semanko  
Attorney at Law  
P.O. Box 538  
Eagle, ID 83616  
[semanko@rmci.net](mailto:semanko@rmci.net)

-----Original Message-----

To: Shelley Keen  
Subject: Re: Meeting Request - 63-32703 (Unprotected Application)  
Sent: Aug 23, 2011 11:59 PM

Thanks for meeting with us today. It was a productive session. We're looking forward to hearing back from you.

Norm Semanko  
Attorney at Law

-----Original Message-----

From: Shelley Keen  
To: Norm Semanko (personal)  
Subject: RE: Meeting Request - 63-32703 (Unprotected Application)  
Sent: Aug 23, 2011 10:19 AM

Norm,

I called your number, but your voicemail box is full. Anyway, Jeff Peppersack, Garrick Baxter, and I are available to meet at 1:00 here at IDWR. We'll look forward to seeing you and Mr. Johnson then. We will be in Conf. Room 549F.

Shelley Keen  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 287-4947  
[shelley.keen@idwr.idaho.gov](mailto:shelley.keen@idwr.idaho.gov)

-----Original Message-----

From: Norm Semanko [<mailto:semanko@nwinet.com>]  
Sent: Sunday, August 21, 2011 4:31 PM  
To: Keen, Shelley

Cc: Spackman, Gary  
Subject: Re: Meeting Request - 63-32703 (Unprotected Application)

Shelley,

Just following-up on this meeting request for Tuesday.

We are meeting with Brad Little and David Hensley at 2:00 to brief them on Orchard Ranch's economic development plans.

Can you meet at 1:00 or 3:00?

Thanks.

Norm Semanko  
Attorney at Law

-----Original Message-----

To: Gary Spackman  
To: Shelley Keen  
Subject: Meeting Request - 63-32703 (Unprotected Application)  
Sent: Aug 16, 2011 8:36 PM

Director Spackman and Mr. Keen:

On behalf of my client, Orchard Ranch LLC, we would like to request a meeting with you on Tuesday, August 23.

One of the principals of Orchard Ranch LLC, Rodger Johnson, will be in Boise from North Dakota that day. He would like to discuss general water matters involving Orchard Ranch's property, including the status of the unprotected application for permit no. 63-32703. In particular, he would like to know why it hasn't been approved yet and what can be done to move it forward.

Please let me know if there is a time that will work for both of you on August 23.

Thank you.

Norm Semanko  
Attorney at Law