

Baxter, Garrick

From: Monson, Peter C (ENRD) [Peter.C.Monson@usdoj.gov]
Sent: Friday, December 07, 2007 11:54 AM
To: Baxter, Garrick
Cc: Jarvis, David (ENRD); Marsh, Yvonne (ENRD)
Subject: RE: Water Right Permit Number 25-13615 (Bureau of Indian Affairs)

Garrick: I have now checked with BIA on this matter, and they seem fine with closing IDWR's records on this permit in view of the water right having been decreed in the 1990 Fort Hall Settlement.

Thanks.

Peter Monson

cc: Dave Jarvis and Yvonne Marsh: Please put a copy of this email in our SRBA files. Thanks.

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

From: Baxter, Garrick [mailto:Garrick.Baxter@idwr.idaho.gov]
Sent: Tuesday, December 04, 2007 3:10 PM
To: Monson, Peter C (ENRD)
Subject: RE: Water Right Permit Number 25-13615 (Bureau of Indian Affairs)

Sounds good. I believe that the Decree should take care of it. However, I will wait to hear back from you to confirm that there is no further action needed by IDWR.

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

From: Monson, Peter C (ENRD) [mailto:Peter.C.Monson@usdoj.gov]
Sent: Tuesday, December 04, 2007 2:59 PM
To: Baxter, Garrick
Subject: Re: Water Right Permit Number 25-13615 (Bureau of Indian Affairs)

Garrick: I am away from my office today, and don't have access to the decree. I will also want to check with my client. That said, it would seem that if the right has been decreed, that should be enough. Give me a couple of days to look into it, however.

Thanks, Peter

Sent Using U.S. DOJ/ENRD BES Server

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

From: Baxter, Garrick <Garrick.Baxter@idwr.idaho.gov>
To: Monson, Peter C (ENRD)
Sent: Tue Dec 04 12:10:38 2007
Subject: FW: Water Right Permit Number 25-13615 (Bureau of Indian Affairs)

Peter,

I did some more digging on this water right. It appears that this right was decreed in the Partial Final Consent Decree Determining the Rights of the Shoshone Bannock Tribes to the use of Water in the Upper Snake River Basin. See page 58 of this link:

<http://www.idwr.idaho.gov/apps/ExtSearch/DocslImages/24v101.PDF>

<<http://www.idwr.idaho.gov/apps/ExtSearch/DocslImages/24v101.PDF>>

It is the United States position that this right was decreed, thus no further action is necessary by IDWR?

Thanks,

Garrick

Garrick L. Baxter
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Fax: (208) 287-6700

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

From:	Baxter, Garrick
Sent:	Monday, December 03, 2007 10:58 AM
To:	Peter Monson (E-mail)
Subject:	Water Right Permit Number 25-13615 (Bureau of Indian Affairs)

Peter,

The water allocations section of the Idaho Department of Water Resources (IDWR) is going back through some old records and wants to know if the United States BIA is still actively pursuing permit number 25-13615. Can you let me know whether the BIA is still actively pursuing this permit? Or if the BIA agreed not to pursue this permit as part of a settlement? The IDWR would like to close its records on this permit if the intent is not to pursue the permit. Let me know if you have any questions.

Thanks,

Garrick

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