

## Van Bussum, Monica

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**From:** fwprice@blm.gov  
**Sent:** Friday, June 17, 2011 11:42 AM  
**To:** Van Bussum, Monica  
**Subject:** RE: Missing combined use remark in 75-00069G?

Yeh?! We're still looking into it, but I won't cooperate with putting trespass water into the water bank.

"Van Bussum,  
Monica"  
<Monica.VanBussum  
@idwr.idaho.gov>  
06/17/2011 09:04  
AM

<fwprice@blm.gov>  
To  
cc  
Subject  
RE: Missing combined use remark in  
75-00069G?

Hi Fred,

Did you get my voicemail the other day about 37-159D?

Monica

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

From: [fwprice@blm.gov](mailto:fwprice@blm.gov) [<mailto:fwprice@blm.gov>]  
Sent: Friday, June 17, 2011 8:53 AM  
To: Baxter, Garrick  
Cc: Van Bussum, Monica; Cooley-Denney, Suzy; [ddelaney@srba.state.id.us](mailto:ddelaney@srba.state.id.us)  
Subject: Missing combined use remark in 75-00069G?

Garrick,

RE: 75-00069G, Metcalf

The original Partial Decrees were issued for three Rice water rights (75-00069L (Rice), 75-00070G (Metcalf), and 75-00070L (Rice)) on 01-31-2011. On 05-31-2011, IDWR wrote a letter notifying the Court that the combined use condition was overlooked on these three rights. Also the correspondence notified the Court that there was an error in the priority

date of water right 75-00070G that should be corrected. For these reasons IDWR asked the Court to set aside these partial decrees.

This correspondence from IDWR and SF-5s were filed on 05-31-2011. An Order Setting Aside Partial Decrees and Amended Partial Decrees were issued on 06-01-2011. A combined use remark under the quantity element was added stating: "Right Nos. 75-00069G (Metcalf), 75-00069L (Rice), 75-00070G (Metcalf), and 75-00070L (Rice) are limited to a total combined diversion rate of 0.093 cfs." An error was also found in the priority date of water right 75-00070G. The priority for 75-00070G was changed from 05-01-1882 to 05-01-1892. These were the only changes to these three claims.

The combined use remark added under the quantity element for these three water rights mentions water right 75-00069G (Metcalf). However, this remark does not appear on the Partial Decree for 75-00069G. Should this remark be added to the Partial Decree for water right 75-00069G (Metcalf), or should 75-00069G (Metcalf) be removed from the combined use remark in the Amended Partial Decrees for 75-00069L (Rice), 75-00070G (Metcalf), and 75-00070L (Rice)? I've not often seen combined use remarks that include rights from different owners.

BLM isn't interested in this issue or its resolution, but is just forwarding an apparent discrepancy that we discovered during our review of the Amended Partial Decrees.

75-00069G (Metcalf) is a domestic & stockwater right from Carmen Creek for 0.06 cfs with a priority date of 05-01-1888 based on a prior decree.

75-00069L (Rice) is an irrigation right (8 acres) from Carmen Creek for 0.039 cfs with a priority date of 05-01-1888 based on a prior decree.

75-00070G (Metcalf) is a stockwater & domestic water right from Carmen Creek for 0.060 cfs with a priority date of 05-01-1892 based on a prior decree.

75-00070L (Rice) is an irrigation right (8 acres) from Carmen Creek for 0.054 cfs with a priority date of 05-01-1892 based on a prior decree.

Fred

(See attached file: 75-00069G\_missing remark.pdf)

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## Nelson, Dan

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**From:** Nelson, Dan  
**Sent:** Wednesday, June 15, 2011 2:47 PM  
**To:** 'WATERMANAGER@CABLEONE.NET'  
**Subject:** Watermaster Comments for Water Supply Bank Lease  
**Attachments:** WR Map 37-159D.pdf

Hello Kevin;

I am working on a Water Supply Bank lease application for Jack W. Flammer, Jr. on water right 37-159D. This water right was recently decreed on June 2, 2010. The Water Supply Bank lease allows this water right to be made available for other water users to rent this water right on their property. We will contact you if there is a request to rent this water right. The request for comments at this time is determine if you have any concerns with this water being made available for future rental. I have attached a map showing the location of the water right.

Please submit any concerns you may have as soon as possible. If you have any questions, please don't hesitate to contact me.

Respectfully,

Daniel A. Nelson  
Staff Hydrologist  
Planning Bureau  
(208) 287-4856

