

Van Bussum, Monica

From: Yenter, Cindy
Sent: Friday, December 03, 2010 12:08 PM
To: Van Bussum, Monica
Subject: RE: Millenkamp app is back

What rights have you found to satisfy this? They weren't his rights, were they? That explanation makes more sense, and I would go along with it. I know Gary has someone working on a transfer but there are problems with Millenkamp's supplemental rights.

From: Van Bussum, Monica
Sent: Friday, December 03, 2010 11:37 AM
To: Yenter, Cindy
Subject: RE: Millenkamp app is back

Hi Cindy,

I talked to Gary Funderburg about the Millenkamp rental app. Millenkamp wants to rent 24 AF for 2009 and 61 AF for 2010 through 2014 (5 years). This would get them legal for 2009 and 2010 and then allow the extra diversion for 2011 through 2014. How does that sound to you?

Monica

From: Yenter, Cindy
Sent: Monday, November 15, 2010 11:34 AM
To: Van Bussum, Monica
Subject: RE: Millenkamp app is back

Hey – you are on my list this morning. Here's my recommendations. Let me know if you have questions.

Millenkamp – the application looks ok, but I wonder about the total amount requested for comm/stock.. He already has water rights for 100 AF; in 2009 he diverted around 124 AF. Gary's saying he needs 161 AF MORE for c/s? Or just 161 AF TOTAL? There does appear to be a significant pou expansion in there, but perhaps that should be confirmed. The irrigation part is above existing rights for these wells and is required. Use the measurement conditions 212/213.

Wyatt 36-4042. No ground water diversions for many years, canal diversions only. 1995 comment in WMIS indicated the well was not in use. The GWD has not ever measured it. The IPCO records indicate a demand meter hookup for a 40 HP motor, and electrical demands 2006-2009 support only this. The AJ claim exam verified a 60HP motor on the deep well, and a 40 HP on the canal booster..... pretty much open and closed, no BU (but not necessarily a forfeiture issue, as the lands have remained irrigated). I recommend no lease.

Notch Butte 36-16154. This does not appear to be supplemental.. There are no NSCC canal shares listed here and gw diversions 2006-2008 would be reasonable for the licensed acreage. In fact 2007 diversions from the well shown were quite high, however the right has undergone a split at some point. 2009 diversions were less than 100 AF, although this acreage could be used for land applications from the feedyard to the north, or even from Double A Dairy to the east. That should not affect the primacy of the right for rental purposes, however I think the acres pursuant to the lease must remain totally dry.

Roth 36.16683 – is this still an application? There are no canal shares here – some held by Roth in SE Sec 2 but not west of the highway in this pou. There is a high likelihood that waste applications are occurring but again that's not a problem if the acres remain dry while leased. How many acres to be leased? The recent transfer pretty much pared down the authorized acres to what they were irrigating. The overlapping right from the same wells are separate acres which do not cause a conflict.

From: Van Bussum, Monica
Sent: Friday, November 12, 2010 4:53 PM
To: Yenter, Cindy
Subject: RE: Millenkamp app is back

Here is a scan of the Millenkamp app. I am looking at filling it from 36-16683 and maybe one of the Notch Butte lease apps (currently looking at 36-16154) as a candidate, but I'm worried that one might be supplemental. Anyway, I do need your comments on leasing 36-16154 to the Bank, too. Let me know what you think about both. Thanks!

Monica

From: Yenter, Cindy
Sent: Thursday, September 30, 2010 12:52 PM
To: Van Bussum, Monica
Subject: RE: Millenkamp app is back

Why don't you send me a copy for review, once you determine you have an eligible right for rental. I'll need to see which wells they have identified. All things being appropriate, this should satisfy the immediate violation he has going.

From: Van Bussum, Monica
Sent: Thursday, September 30, 2010 12:49 PM
To: Yenter, Cindy
Subject: RE: Millenkamp app is back

The rental period is 5 years and we would start it for 2010. Rental would end in 2014.

From: Yenter, Cindy
Sent: Thursday, September 30, 2010 12:48 PM
To: Van Bussum, Monica
Subject: RE: Millenkamp app is back

This is consistent with the final results of a transfer they are contemplating. The 3 acres is for a berm around the facility. How long is the proposed rental period? Rental beginning when?

From: Van Bussum, Monica
Sent: Thursday, September 30, 2010 11:35 AM
To: Yenter, Cindy
Subject: Millenkamp app is back

Hi Cindy,

Gary Funderburg refilled for Millenkamp. It's a rental application seeking the following:

0.66 cfs/161 AF for commercial/stock Jan 1 to Dec 31
0.66 cfs/12 AF for irrigation April 1 to Nov 1

Irrigation of 3 acres in 7S 16E Sec 27 and 28. Cow/calf operation in Sections 27 and 28.

Do you want more details? What are your thoughts? Thanks!

Monica