

Keen, Shelley

From: Harrington, Helen
Sent: Tuesday, July 08, 2003 12:41 PM
To: Keen, Shelley
Subject: RE: Update on Bear River Mgmt Plan Implementation

Shelley -

You are correct. A mitigation plan should be developed based on the amount of consumptive use. Since these are considered "de minimus", there isn't a quantity of water consumed or depleted for which to mitigate. Is that interpretation in keeping with water right processing? Additionally, it was assumed that most domestic/stockwater users in this category wouldn't be filing for a water right.

As an aside, this logic doesn't necessarily apply when if a domestic user applies to use surface water. The management plan does not apply to surface water, so it is irrelevant. However, there is a strong likelihood that an application for domestic surface water would be protested by PacifiCorp, based on injury to their water right in Bear Lake.

Sorry I misspelled your name. Thanks for responding.

Helen

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

From: Keen, Shelley
Sent: Tuesday, July 08, 2003 12:05 PM
To: Harrington, Helen
Subject: RE: Update on Bear River Mgmt Plan Implementation

Helen,

I haven't heard anything new, and we haven't been working on any policies for the area. I do have one question for you, however. In the management plan I did not see that de minimus domestic and stockwater rights were automatically exempt from the mitigation requirement. Was that intentional?

Shelley

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

From: Harrington, Helen
Sent: Tuesday, July 08, 2003 11:17 AM
To: Luke, Tim; Keen, Shelley
Subject: Update on Bear River Mgmt Plan Implementation

Gentlemen --

I will be making a presentation in Pocatello on Monday, discussing the recently adopted Bear River GW Mgmt Plan. I was wondering if either of you had any updates on any activities which are occurring in the Bear River basin that you might be working on. Specifically --

Tim -- Any move on creation of a water measurement district?
Is the Watermaster expanding his routine regulation to tributaries?

Shelly -- Have you received any mitigation plans? Policies being developed?
Have you received any applications for permit or transfer from the region?

Have either of you heard anything about efforts for a rental pool? Thanks for any information you can provide to me.

Helen Harrington
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