

David Sellgren
P O Box 2810
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Mr. Tim Luke
Department of Water Resources
8248 Victory Blvd.
Boise, Idaho 83707

Dear Mr. Luke:

I have been studying your memo to Lee Peterson, District 37 Watermaster dated 8/20/92, and I am confused and concerned over your conclusions in the next to last paragraph.

I am concerned solely with the Chapman decree of 1922.

Your memo, paragraph 5, is silent regarding Chapman decree water as to any date.

Question #1: Is the June 15, 1883 priority mentioned in the Chapman decree? If so, please inform me of what it says.

Question #2: If the June 15, 1883 date is not mentioned in the Chapman decree and if the Chapman decree states that the "saved water" is an independent source, how do you arrive at your interpretation that Chapman decree water is affected by the June 15, 1883? cutoff date or any other date for that matter?

Question #3: Does the Coffin decree of 1941 mention the Chapman decree of 1922 and change the Chapman water rights and/or obligations?

Question #4: If there is no mention of any 1883 date in the Chapman decree and if the Chapman 18 CFS of water is independent of the river and is "saved water", how can any regular river water, e.g. the Stewart 80, 81, and 82 rights be senior to an independent source?

I own regular water rights and also bypass water rights. With the second drought in three years upon us, I want to have a clear as possible understanding of my situation. I am not an attorney nor am I upset, just concerned and confused by you memo.

Very respectfully yours,

David M. Sellgren