

**WATER DISTRICT #31
P.O. BOX 33
DUBOIS, ID 83423
(208) 374-5274**

May 30, 2002

To Whom It May Concern:

The question was asked on the historical use of water right numbers; 31-66A, 66B, 67A, 67B, 324, 373, and 374 out of West Camas Creek in Water District 31.

As to the historical use of the above water rights I make the following comment. The only two water rights delivered to Mr. Hagenbarth out of West Camas Creek are 31-373 and 374, for the total of 4.44 c.f.s. This is the way I have handled these water rights since being Assistant Watermaster and Watermaster from the mid 1980's to the present time. This is the way I was directed by the previous Watermaster Donald Shenton who was the Watermaster from 1960 to 1998.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Greg Shenton', with a long horizontal flourish extending to the right.

Greg Shenton
Watermaster

MUD LAKE WATER USERS, INC
P.O. BOX 68
1400 E 1500 N
TERRETON, IDAHO 83450
PHONE (208) 663-4359 FAX (208) 663-4369
E-mail mudlakeh2o@dcidi.net

Karl
RECEIVED

JUN 11 2002

Department of Water Resources

Carl Dreher
 1301 N Orchard
 Boise, ID 83706

RE: 31-66A, 31-66B, 31-67A, 31-67B, 31-324, 31-373, & 31-374

Dear Mr. Dreher,

We are writing this letter to request appropriate action by the Department of Water Resources. As you know, it has just been brought to our attention that water rights were recommended for the Hagenbarths based on the old Harmon Reservoir rights shown in the Suave v. Abbot decree. The recommendations appear to be numbered 31-66A, 31-66B, 31-67A, 31-67B, 31-324, 31-373, & 31-374. It appears that the recommendations total approximately 19.2 CFS for some 960 acres of land to be irrigated from the waters of Crab Creek.

After we became aware of the existence of these recommendations and claims, we contacted the Water Master of District 31, Mr. Greg Shenton, and asked him to review the delivery records for these rights. He has informed us that the records kept by himself & his father, Don Shenton, disclose that water has been delivered in the total amount of 4.44 CFS under right numbers 31-373 & 31-374, but not under any of the other rights for many years. A copy of a letter we requested from Mr. Shenton is enclosed. We also understand that Mr. Al Ruberry, of the Idaho Falls office of IDWR, who worked on these claims, has spoken with Mr. Shenton and now understands the history regarding deliveries under these rights.

The size of the diversions if these recommendations are decreed would have a significant negative impact on downstream water users. We have been advised that we are too late to file an objection and so we request that you correct this error by filing an amended directors report. In our telephone conversation, you expressed that there might be a reluctance to do so, but we are aware of other situations in which recommendations have been amended to correct errors, and request that it be done in this case.

Thank you for your kind attention to this matter.

Sincerely a group of concerned right holders,

Derald Messeri *Derald Suddoway*
Nick R Hillman *Power of attorney for*
Ron R Hillman *Nick Suddoway independent witnesses are*
Randy T. Hillman *Blaine Larsen*
Barbara J Hillman *Woe M. Buntouttas*
Harwin Brown
Barry Robertson

6/3/2002