



State of Idaho

MAY 16 2001

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 25, 2001

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

Crystal Springs Inc
c/o Roger Ferguson, President
P.O. Box 519
Rexburg, Idaho 83440

Re: Adjudication Claims 29-4012A, 29-4012B

Dear Water User:

We are now investigating Adjudication Claims in Administrative Basin 29. My assignment is to make an accurate determination of the use of this water right up through November, 1987. Based upon this determination, I will make a recommendation to present to the Snake River Basin Adjudication Court.

I need your help to document the usage of these two water rights. Use of the water up through 1970 is adequately documented, but I have very little information on use from 1970 up through 1996. Of particular interest is usage in the years 1986 and 1987. If you could document the nature and extent of water use in those two years, it would help me make an accurate recommendation of your water right. Affidavits from former owners or employees of the hatchery, or former neighbors, would be very useful. Production records or aerial photos may also be useful, though I cannot get much out of my 1987 aerial photos.

The enclosed pamphlet gives some guidance on sources of documentation. If you get affidavits, be sure the affidavit clearly shows the person is speaking from personal knowledge (I saw...) and provides enough details of dates and locations that we can be sure it refers to these particular claims. In general, the more detail, the better.

For your convenience I have enclosed copies of the original claims.

Please call me at 525-7161 if you have questions. I am usually in the office later in the week, but not usually on Monday or Tuesday.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

MEMORANDUM

May 20, 1999

TO: Eastern Adjudication Unit
FROM: Cindy Hodges, Water Distribution Section *cyh*
RE: Claim Nos. A29-04012A/04012B

The attached memo is in regard to the above claims filed by Roger Ferguson. Mr. Hart is Ferguson's accountant and representative.

I solicited the information in response to Mr. Ferguson's petition for exclusion from the East Water Measurement District. Unfortunately, the nature of the information indicates a possible forfeiture of these rights and the memo should be placed in the claim file.

I have also forwarded to Mr. Hart a Change in Ownership form, as Crystal Springs Inc, the name on the claims, appears to have been dissolved.

Please check with me or with Lewis Rounds if you have any questions.

RECEIVED

MAY 28 1999

Department of Water Resources
Eastern Region

HART & COMPANY

Steven J. Hart, CPA

108 West First South
PO Box 519
Rexburg, ID 83440
Fax: 208-356-4421

FAX TRANSMISSION COVER SHEET

To: CINDY HODGES - Sr. Water Resource Agent
Fax #: 208-327-7866
Sender: STEVE HART CPA
Date: 3/31/99

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 208-356-3716

CINDY,

A29-04C12A/4012B

SORRY I'M LATE IN RESPONDING TO YOUR LETTER DATED 3/3/99. IT IS TAX SEASON AND MY DAYS & NIGHTS ARE A BLUR. THANK YOU FOR YOUR PATIENCE.

THE HATCHERY IS IDLE. IT SITS ON 100 ACRES IN POWER COUNTY AND IT IS OWNED BY ROGER & SYBIL FERGUSON, MY CLIENTS. CRYSTAL SPRINGS, IND. IS NO LONGER IN EXISTENCE. PLEASE MAKE THIS OWNERSHIP CORRECTION ON YOUR RECORDS.

THE LAND & HATCHERY WAS ACQUIRED IN 1994 IN A LAWSUIT SETTLEMENT WITH ITS OWNER. AS OF THAT DATE FORWARD IT HAS NOT BEEN OPERATING

AND I THINK FOR 2 YEARS PRIOR TO THE
LAW SUIT IT SAT IDLE ALSO. THE PRIOR
OWNER CEASED ITS OPERATION I THINK
AS A RESULT OF HIS GOING OUT OF
BUSINESS. WE HAVE NEVER USED THE
FACILITY SINCE OBTAINING IT.

WE HAVE NO IDEA WHEN IT WILL
BE USED AGAIN AS A AQUACULTURE
FACILITY. THE FERGUSONS HAVE SOLD THEIR
FISH PROCESSING PLANT.

WE HAVE A CARE TAKER LIVING ON
THE PROPERTY AND CURRENTLY NO
FARM CROPS ARE BEING RAISED ON
THE LAND.

I HOPE THIS IS WHAT YOU NEED.
PLEASE CALL LEWIS ROUNDS 208-525-
7171 AND HE WILL NOT PROCESS THE
BILLING ON THIS EXEMPTION. ONCE
AGAIN - THANKS!
BACK TO TAXES!

STEVE