

MEMORANDUM

DATE: December 8, 2003

FROM: Ernie Carlsen

TO: File

RE: Objection resolution on 29-4012A

Bish Bemmer met with me and Dr. Chuck Brockway participated by telephone. Mr. Bemmer is expected to purchase the Papoose Springs Fish Hatchery in May of 2004 so he is very interested in the water right for the facility. The purpose of the meeting concerned the objection to the recommendation. We reviewed and analyzed the documentation in the file. Of particular interest was the affidavit by Mrs. Meeder and documentation from the USGS. The affidavit of Mrs. Meeder suggests the springs at the facility were developed in three stages. The final stage being completed around 1925 or 1926. Documentation from the USGS suggests the springs from Section 1 and 2 were measured by H. T. Stearns on September 14, 1925, and found to be flowing around 75 cfs. Though this measurement may not have included Section 3 of the facility it was agreed between Mr. Bemmer, Dr. Brockway and I that the recommendation could be modified to show 75 cfs with a priority of 9-14-1925. Dr. Brockway was going to contact Kent Foster, attorney for the claimant, and inform him of this decision.