

JUN 13 2001

Saxton, Craig

From: Fritschle, Carter
Sent: Tuesday, June 05, 2001 1:17 PM
To: Saxton, Craig
Cc: Spencer, Nick
Subject: RE: 29-04177A&B

Hi Craig,

This was a private adjudication that was brought into the SRBA. All of the issues have been settled, and I thought Hurlbutt was suppose to issue the partial decree right after the trial was vacated in March of 1993. The ISU claim should be disallowed. The reason the basis is decree, is that the claims were filed based on a posted notice. The claimants supplied an abstract of the property, and no one noticed a reference to a decree of the water rights in all of the paper work. I obtained a copy of the decree from Bannock County, and that is what we based our recommendations on. Nick has most of the paperwork for this subcase, but I can prepare the shape for the SDE layer. I assume these will need to be listed in the Basin 29 report. I will copy this to Nick in case there are any special instructions.

Carter

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

From: Saxton, Craig
Sent: Tuesday, June 05, 2001 12:54 PM
To: Fritschle, Carter
Subject: 29-04177A&B

Hey Carter,

I came across two claims that you created a recommendation on in 1992(?) 29-04117A and 29-04117B. The status of both of these says Decreed, but they have not been Partially decreed in the SRBA court. I am just wondering if there was a prior decree on the source, or if there is some information you could share as to why recommendations were already created.

The twist (as there always is) is that I have another claim 29-10988 from ISU. The claim looks like use from the same pond as the 4000 numbers. I called ISU and they say they don't own the land anymore, they gave it back to the original owners. The original owners are the same owners as 29-04117A and 29-04117B Kenneth and Harriet Lundburg.

So what I am trying to figure out is whether 29-10988 is a valid claim anymore.

Any insight you may have on this issue would be greatly appreciated.

C