

CONVERSATIONAL MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: 22 September 2005

RE: Evidence of Priority for SRBA files for Dan Smith (67-10143 and 67-14444) and Ed Pollard (67-14353 and 67-14445)

I met with Dan Smith this morning to look over his evidence of priority for his land. Ed Pollard has been interested in Dan's evidence of priority because Pollard and Smith purchased (and subsequently split) the old Green place in a change of ownership a few years ago.

Dan provided me with an aerial photo from 1938 of the Weiser area. He showed me the area he owns now and the area Pollard owns (now marked on the map). He also provided a letter from WID that addresses a water carrying agreement. I asked him to make a copy of the water carrying agreement and sent it in since he didn't have a copy of the actual agreement with him.

When we get this final piece of documentation, hopefully we will be able to determine if the Smith/Pollard water is WID water or individual water.

Also, Dan said there are two licenses on the property, but the beneficial use claim adds on some acres. The 1938 photo shows irrigated acres where the unlicensed area is, so it looks like we would be able to recommend a 1938 priority date for the additional acres in the BU claim. He has personal memory of the fields dating back to 1945 because that is the year his grandmother died and he remembers walking across the fields to tell his father. He also has memory of when his father first put the northern acreage (1970s license) on sprinkler, which was in 1954. He briefly mentions this in his affidavit.

During our conversation, Dan mentioned he pays WID for ditch maintenance and for Crane Creek storage water. We need to make sure he has live flow before recommending his or Ed Pollard's claims.