

Arave, Nathaniel

From: Carlsen, Ernie
Sent: Monday, December 03, 2007 11:28 AM
To: 'Ron Carlson'
Cc: Arave, Nathaniel
Subject: RE: SRB Recommendations 75-14050, 75-14052, 75-14056, 75-14058, etc.

Ron, Interesting question. As you may already know the recommendations for Basin 75 were prepared by Ken Knoblock and Greg Taylor in Northern Region and consequently I have no knowledge of what was recommended. The claims files have been returned to Eastern as of last week and Nate Arave has been assigned as the lead agent for the objection resolution. Though I sympathize with the water users concerning costs I think they would be remiss in not being prepared to defend their own case in this matter.

Ernie

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

From: Ron Carlson [mailto:tentmaker@ceinc.myrf.net]
Sent: Saturday, December 01, 2007 7:20 PM
To: Carlsen, Ernie
Subject: SRB Recommendations 75-14050, 75-14052, 75-14056, 75-14058, etc.

Ernie,

Back in May of 1990 I met with the water users on Carman Creek and Dave McFarland, the watermaster. I thought the issues involved were pretty well resolved at that time. Now it appears that there may be some new issues related to the water rights on Carman Creek arising as a result of objections Travis Thompson has filed for Marci M. Dixon, Charles & Mary Harling, and Albert & Alvera Fols. As I understand it there are six lots on what I remember to be the south side of the creek, (that is a 17 year old memory and could be off by up to 180 degrees!). These lots were recommended 1910 water rights based upon a license. Their claims to decreed rights dating back to 1875, 1882, 1888, & 1892 were not recommended by the IDWR. Trevis apparently is attempting to argue that there has been an accomplished transfer of these (or portions thereof) rights to his clients. I do not believe there were any objections filed to any of the recommended claims on Carman Ck and absent this challenge it is my understanding that the other users are satisfied with the department's recommendations. It appears to me that the only way that Travis' clients could get part of these water rights would be to take them away from the users to whom they have been recommended. It is also my understanding that the other users on Carman creek have not been advised of this possibility of their SRBA recommendations being changed if Travis is successful in his recommendation. The water rights Travis has listed in his objections are as follows:

Albert C Fols
 Alvera C Fols 75-14050, 14052, 15056, 14058

Marci M Dixon 75-14038, 14040, 14044, 14046

Charles E Harling 75-69M, 70M, 10061X, 10062V
 Mary N Harling

The water users who believe the department was correct in not recommending these rights want to know if they need to hire an attorney to represent their interests in these contested issues. Clearly if they can count on the department defending their recommendations these other water users would like to save their money. They are asking me for advice and the best thing I know to do is to ask you for yours.

Thanks,

12/3/2007

Ron