

## Hersley, Jean

---

**From:** Erik Oaas <erik@oaaslaney.com>  
**Sent:** Tuesday, February 23, 2021 11:28 AM  
**To:** Hersley, Jean  
**Cc:** Scott Turlington; Grimm, Angie  
**Subject:** Re: Status

Jean,

Thank you for responding, although I do not agree with your conclusion. I will contact my attorney and will be in touch.

Respectfully,

Erik Oaas

Debirose, LLC

On Tue, Feb 23, 2021 at 9:40 AM Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)> wrote:

I have reviewed the additional information you provided and the adjudication back file and my conclusion is the same. Water right 65-22474 is appurtenant to a 5 acre parcel located in Township 15N, Range 03E, Section 5, SENW & NESW that is currently owned by Retirement Security Plan & Trust. This parcel was an exception in the deeds from Weilmunster to Westrock, LP and from Westrock, LP to Tamarack Resort. There is also a map in the adjudication back file that outlines this parcel as the exception.

*Jean Hersley*

*Technical Records Specialist II*

*Idaho Dept Water Resources*

*(208) 287-4942*

**From:** Erik Oaas [mailto:[erik@oaaslaney.com](mailto:erik@oaaslaney.com)]  
**Sent:** Monday, February 22, 2021 10:11 AM  
**To:** Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>  
**Cc:** Scott Turlington <[sturlington@tamarackidaho.com](mailto:sturlington@tamarackidaho.com)>  
**Subject:** Status

Dear Jean,

Please give me a status update on the 65-22474 water rights issue when you have a chance.

Regards,

Erik Oaas

Debirose, LLC

**Hersley, Jean**

---

**From:** Erik Oaas <erik@oaaslaney.com>  
**Sent:** Friday, February 12, 2021 9:10 AM  
**To:** Hersley, Jean  
**Cc:** Scott Turlington  
**Subject:** Follow up

Good morning Jean,

Wanted to check in with you on the status of the water right 65-22474. Have you had time to review the additional documentation and reach any conclusions?

Please advise.

Erik Oaas

Debirose, LLC

## Hersley, Jean

---

**From:** Erik Oaas <erik@oaaslaney.com>  
**Sent:** Friday, February 5, 2021 3:13 PM  
**To:** Hersley, Jean  
**Subject:** Re: Checking in

Thank you.

On Fri, Feb 5, 2021 at 3:01 PM Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)> wrote:

I haven't had a chance. I will get to them next week.

*Jean Hersley*

*Technical Records Specialist II*

*Idaho Dept Water Resources*

*(208) 287-4942*

**From:** Erik Oaas [mailto:[erik@oaaslaney.com](mailto:erik@oaaslaney.com)]  
**Sent:** Friday, February 5, 2021 1:59 PM  
**To:** Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>; Grimm, Angie <[Angie.Grimm@idwr.idaho.gov](mailto:Angie.Grimm@idwr.idaho.gov)>  
**Cc:** Scott Turlington <[sturlington@tamarackidaho.com](mailto:sturlington@tamarackidaho.com)>  
**Subject:** Re: Checking in

Dear Jean,

I wondered if you had a chance to review the additional documents and if you needed anything else from me? Please advise.

Regards,

Erik

On Tue, Feb 2, 2021 at 8:31 PM Erik Oaas <[erik@oaaslaney.com](mailto:erik@oaaslaney.com)> wrote:

This is message 2 of 2.

On Tue, Feb 2, 2021 at 8:29 PM Erik Oaas <[erik@oaaslaney.com](mailto:erik@oaaslaney.com)> wrote:

The message size exceeded your firewall, I will send in two emails.

This is 1 of 2

----- Forwarded message -----

From: **Erik Oaas** <[erik@oaaslaney.com](mailto:erik@oaaslaney.com)>

Date: Tue, Feb 2, 2021 at 7:15 PM

Subject: Re: Checking in

To: Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>

Cc: Scott Turlington <[sturlington@tamarackidaho.com](mailto:sturlington@tamarackidaho.com)>, Grimm, Angie <[Angie.Grimm@idwr.idaho.gov](mailto:Angie.Grimm@idwr.idaho.gov)>

Dear Jean,

Thank you for your response. I want to make sure I understand your request for additional information.

1. The two deeds from Tamarack to West Mountain Golf, refer to the same property. The earlier filing Warranty Deed Instrument #291074 had an error in the first call in the legal description. It was corrected in the legal description with a strikethrough, an initial and refiled as Warranty Deed Instrument #293576. I previously sent you the correction deed, the original (in error) is attached.
2. The Westrock to Tamarack Warranty Deed, Instrument #272870 is attached.
3. Retirement Security Plan and Trust acquired the property through a Sheriff's Sale, Instrument #410903 is attached.
4. Warranty Deed Instrument #250509 (attached) and Quit-Claim Deed Instrument #250511 (attached) both from Weilmunster to Westrock and both of which are subject to a 5 Ac. retained parcel 10cfs and the appurtenant .10cfs water right. This is the reference in Appendix C of the PUD (p. 18).

Please let me know if you need any other information.

Regards,

Erik Oaas

Debirose, LLC

On Tue, Feb 2, 2021 at 12:52 PM Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)> wrote:

I have had a chance to review them and I gave them to my manager to review. There are a few deeds missing. Those would be helpful to look at before we meet. Those deeds are:

- Tamarack to West Mtn. Golf- there are two deeds on the list you sent me.
- Westrock to Tamarack
- Westrock to Retirement Security Plan and Trust

Also, I don't understand what page 18 of the PUD appendix C is. Mr. Weilmunster retained 0.1 cfs of a 5 acre parcel. Let me know if you have any questions.

*Jean Hersley*

*Technical Records Specialist II*

*Idaho Dept Water Resources*

*(208) 287-4942*

**From:** Erik Oaas [mailto:[erik@oaaslaney.com](mailto:erik@oaaslaney.com)]  
**Sent:** Monday, February 1, 2021 7:03 PM  
**To:** Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>  
**Cc:** Scott Turlington <[sturlington@tamarackidaho.com](mailto:sturlington@tamarackidaho.com)>  
**Subject:** Checking in

Dear Jean,

I wanted to check in with you to see if you have reviewed the documents I sent last week? Please let me know at your convenience.

Regards,

Erik Oaas

Debirose, LLC

## Hersley, Jean

---

**From:** Erik Oaas <erik@oaaslaney.com>  
**Sent:** Thursday, January 28, 2021 1:12 PM  
**To:** Hersley, Jean  
**Cc:** Scott Turlington  
**Subject:** Re: ZOOM Meeting  
**Attachments:** Deed Transfer of 5.05 Ac. Parcel (Block 6) within Tamarack PUD (including water rights except 65-22357) from Tamarack to Weilmunster.pdf; Summary and Timeline of Deed Transfers - WR 65-22474.pdf; Tamarack PUD Footnote Describing Original Property Sale from Weilmunster and WR.pdf; Deed Transfer of both PUD Block 6 from Weilmunster to Debirose, LLC (with appurtenances) .pdf; Deed Transfer of 3 Parcels (214.14 Ac.) from Tamarack to West Mountain Golf .pdf; Deed Transfer of 5 Ac. Retained Parcel from Weilmunster to Tamarack (Excluding WR 65-22474).pdf

Dear Jean,

Thank you for the response. I have attached several documents for your review. They are self explanatory. Please let me know when you might be available for a ZOOM call next week.

Regards,  
Erik Oaas  
Debirose, LLC

On Thu, Jan 28, 2021 at 8:19 AM Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)> wrote:

I'm sorry it has taken me a while to get back to you. This week is not good for me.

If you would like to have a Zoom meeting next week, Tuesday or Thursday work best, let me know. But I'm not sure why we need to meet. The documents in the backfile I sent to Mr. Oaas had a legal description of the property Mr. Weilmunster withheld when he sold the property to Westrock LP. The Department can only make a decision based on the documents we have that were filed when the water right was claimed in the Snake River Basin Adjudication. If Mr. Oaas thinks it is the wrong property, that is a matter between Mr. Oaas and Mr. Weilmunster.

Mr. Oaas mentioned he found additional documents for me to review. If you still think we need to meet, can you please send them to me so I can review them beforehand? Thank you.

*Jean Hersley*

*Technical Records Specialist II*

*Idaho Dept Water Resources*

(208) 287-4942