

Merritt, Allen

From: Jones, Doug
Sent: Tuesday, August 23, 2011 9:15 AM
To: Spencer, Nick
Cc: Merritt, Allen
Subject: RE: 47-2137 (Meyers) and 47-15262 (Christiansen)

Yes, it would be useful to see where Meyers' right is/was diverted and I might be able to do that before long.

I would have hoped that the parties would have suggested a resolution – if THEY TELL us they want to split the POU, then fine, I can provide drafts. I would prefer not to drive the proposals as it then becomes a duck shoot with a target on us and caught in the crossfire. Presently, Christiansens' right is recommended without objection and is in limbo but could be decreed. Meyers has an objection on his own right and a transfer that is protested and held up in processing and the right is fully overlapped by Christiansen's. With a the moratorium in place IDWR is not approving new applications for permit so when Meyer's transfers his part of the POU then Christiansen can't fill out the field with a new permit; and Meyers can't fill out the rest of his place either. Right now Christiansen is irrigating the QQ in question on the south side of Rock Creek legally and Meyers is illegally irrigating the claimed QQ on the north side of rock creek (since the transfer is not approved and accomplished transfer is not applicable).

I am sure Creamer fully appreciates the nuances – and then some probably – and the Christiansen camp is clueless. How do we proceed under all these handicaps? Since Creamer is the most savvy maybe he should make the first proposal, I can draft the proposed end products and forward them to the parties, then we can have the camps meet by teleconference from the SO (Creamer there) and Southern region (Christiansens here).

Doug

From: Spencer, Nick
Sent: Monday, August 22, 2011 12:01 PM
To: Jones, Doug
Subject: 47-2137 (Meyers) and 47-15262 (Christiansen)

Hi Doug.

Welcome back. I hope and trust you had a good vacation.

I hate to add to your load, but we need to start figuring out how best to approach this dispute. Last month you were talking about the possible benefit of visiting the property to check the location of some things, and also that maybe a solution was to split the POU between the license and the beneficial use claim.

I think at some point soon we are going to need to have a face to face meeting with Mike Creamer together—and especially—with Verla Kinsey to inform her that all is not well with the Christiansen right, and that going down to eyeball how much water there is is not going to solve the problem.

Please let me know your thoughts as to what we ought to be doing with this one. Thanks. NBS