

Cox, Sharla

From: Tom Page [pageshouse@msn.com]
Sent: Monday, June 25, 2012 2:27 PM
To: Cox, Sharla; Roxanne Brown; Michael Page
Subject: RE: Transfer 77801 - Pre-hearing Conference

Hello Sharla -

On Friday, I was finally able to get in touch with watermaster Ted O'Neal, to get his thoughts on our application. Like Jimmy Martiny, he is requesting that we change our priority date, although neither he nor Jimmy have suggested an alternate to our existing 1886 priority date. Ted indicated that he was "digging around" for further information on the location of our diversion point, and that he would bring his findings to the pre-hearing conference. In regards to the conference, Ted told me that the second week of July works pretty well for him and Jimmy. I'm around that week also, if that works for your office. Unfortunately, I don't think we're going to be able to resolve this without at least a pre-hearing conference.

Thanks for your help.

Regards,

Tom

Subject: RE: Transfer 77801
Date: Tue, 5 Jun 2012 12:51:44 -0600
From: Sharla.Cox@idwr.idaho.gov
To: pageshouse@msn.com

Tom, sorry I am late getting back to you. My son was in town from Colorado and I just wanted to stay home and visit with him, so I was out Friday and Monday. Anyway, the answer to your question is: If you resolve your protests with the protestants at the prehearing then normally the application moves forward, but..... because the watermaster gave his opposition on his recommendation, the department will request that the watermaster be at the prehearing also and give his evidence of his recommendation. I am not sure what will happen then. If the watermaster holds his ground that he is still against it, then I suppose there will be a hearing set and we will go through all the evidence and then the hearing officer will make a final decision, either for or against the application.

Hope this helps.

Sharla
Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

From: Tom Page [<mailto:pageshouse@msn.com>]
Sent: Thursday, May 31, 2012 5:12 PM
To: Cox, Sharla

Cc: Michael Page; Roxanne Brown
Subject: RE: Transfer 77801

Sharla -

Thanks for your time on the phone today to help me understand the water right hearing process. As we discussed, I'm sending you this email to request a pre-hearing conference be scheduled in regards to water right transfer # 77801, which is currently under protest. Because we intend to place the land associated with this water right under conservation easement later this year, it will be a great help to resolve this issue quickly.

Big Creek Ranch, LLC requests that the pre-hearing conference be scheduled in Idaho Falls sometime prior to Friday July 20th, if possible.

I am out of town from June 14-20, and then again for the last ten days in July. Otherwise, I will make every effort to move things around in order to attend the conference.

One other item I forgot to ask: Since the application was not approved by the watermaster, Ted O'Neal, does he come to the pre-hearing conference too? What happens if we resolve our differences with the protestant in the pre-hearing conference, but the watermaster still does not approve the application?

Thanks,

Tom Page
Big Creek Ranch, LLC
PO Box 5987
Ketchum, ID 83340
208-788-3219

Subject: Transfer 77801
Date: Thu, 31 May 2012 15:18:38 -0600
From: Sharla.Cox@idwr.idaho.gov
To: pageshouse@msn.com

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Sharla Cox
Administrative Assistant
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Cox, Sharla

From: Tom Page [pageshouse@msn.com]
Sent: Tuesday, June 05, 2012 4:44 PM
To: Cox, Sharla
Cc: Michael Page; Roxanne Brown
Subject: RE: Transfer 77801

Sharla -

Wherever is most convenient for you all is fine - that's why I suggested Idaho Falls, but I'm OK with Challis, too.

Note that Roxanne Brown at SPF Engineering (out of Boise) is our water rights consultant. She will be coming from there, I suspect. If you could make sure you cc her on stuff you send me, that would be great.

Thanks for your explanation of the role of the watermaster in the process.

Tom

Subject: RE: Transfer 77801
Date: Tue, 5 Jun 2012 15:12:18 -0600
From: Sharla.Cox@idwr.idaho.gov
To: pageshouse@msn.com
CC: mepage@pacbell.net; rbrown@spfwater.com

Tom, I talked to my supervisor, who is also the hearing officer and he thought that Challis would be a better spot for the pre-hearing conference. Please let me know if that is acceptable.

Thank you.

Sharla
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