

Pre-Hearing Notes for Transgen. 75647
October 20, 2009 @ 10:00 AM
at McCammon City Hall.

James Cafalo - Pre-hearing Officer
Sharla Cox - assistant

Attendees:

- ✓ Cecil Armstrong
- ✓ Calvin Monson - ~~absent~~
- ✓ Jeland Armstrong
- ✓ Grant Olson
- ✓ Dennis Toney
- ✓ Reed Capell - (Ron Capell, (absent))
- ✓ Maurice Toler

✓ Hain Christensen

application to move point of diversion on
Garden Creek.

* → Send a copy of withdrawal to all protestants.

Minutes

Central lateral serves 9 users - Central Lateral
is disportioned during the spring.

North & South Lateral only have 2 users
on them.

Christensen is sprinkling ~~the~~ now. Was flood irrigating; but just changed.

Is there a rotation system? Yes when it gets to 200 inches. Take turns, 200 inches are the oldest water rights for the company.

What is size pump - 30 hp. 8 inch main line.

Cecil Armstrong - Concerns - ~~passes to~~

So Lateral - was plowed in - had to change to Garden Creek. -

Calvin Monson - haven't been using, but could use it. Been using well -

Leland Armstrong - This is decreed water to the land - you can not move it that it has been decreed to. Sold land,

Dennis Toney - Right of access. Pipe above or below ground. Issues such as flooding peoples property, has not spoken about his plan. Access problem. Who is Mrs. Abrahams?

Yvonne Toney: Ownership belongs to Abrahams, but that is not ~~true~~ it belongs to Toney.

Owned property for 7 yrs. has not been irrigated. Garden Creek decreed 1906. Water can not be used for some other ~~use~~ use.

Parcel 1- Claiming to go over land he has no easement.

What Christensen makes his claim through Garden Creek.

Flood damages? Who's going to maintain the headgate. Wants everything in ~~the~~ writing. Said document is fraud. Answers are not true on transfer.

Maurice Toler. Line size. is the concern.

Reed Capell - Below Klain on central lateral. Have had plenty water.

Klain - No irrigation for 5 yrs. This is not true.

Grant Olson: Jurisdiction - 1906 Court Case. 4 second feet. is allotted to Ditch Co. Stock. Any water can be scheduled to Freshet Rights. Section 4 - ~~Namni~~ Rolli ~~son~~ - defended in 1906.

Discovery - ~~7th~~ Jan 1st to Feb 28th

Exhibits - ~~May 1st~~ April 30th

Witnesses - ~~May 1st~~ April 30th

Hearing Date - May 11, 12 & 13.

Declaratory -

Reply to Respond April 21

Response

April 7th

March

Mar. 24 - Declaratory.

PRE-HEARING CONFERENCE
Application for Transfer 75647 – Klain Christensen

Date: October 20, 2009
Time: 10:00 A.M.
Place: McCammon City Hall, McCammon, ID
Presiding Officer: James Cefalo
Assisted by: Sharla Cox

ROSTER OF ATTENDANCE

NAME	ADDRESS, CITY, ZIP PHONE NUMBER	REPRESENTING
Dennis Toney	13001 S. Robin Rd Arimo, Idaho 83214	Myself
Thomae Toney	13001 S. Robin Rd Arimo, ID 83214	Myself
Thorid Toler	1924 Donner Avenue Chubb, CA 93611 8392294-7692	
Adrian Foster	2575 Solar Dr. SLC, UT 84124	
Maurice Pater	2315 Glover Rd Armo, ID 83214	Myself
Thomas Pater	2321 W. Armo Rd. Armo, Idaho 83214	Myself
Geed Capel	8993 - S. Old Hwy 91 McCammon, ID 83250	Myself + my son Bryan
Small, Mark	13260 S. Robin Rd. Armo, ID, 83214	Myself

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NAME	ADDRESS, CITY, ZIP PHONE NUMBER	REPRESENTING
DERAED Armstrong	Box 88 Arimo, ID 83214	
Sheldon Hatley	13589 S. Thacker Arimo, ID 83214.	
Cecil Conastrian	849 810 3rd Rd. Arimo ID 83214	
Paul G. Atkey	3417 W Arimo Rd - 83214	
Colin Mason	13539 S. Robin R.D.	