

FAX TRANSMISSION

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To: Nick Miller

Date: April 11/08

Fax #: 208-287-6700

Pages: (including cover sheet)

From: Elmo Krogue

Subject: WATER RIGHTS

COMMENTS:

GARY PAYNE'S FATHER IS JAMES PAYNE

My FATHER IS MAYO KROGUE

I hope this information is helpful.
I also hope I am not giving you more
than you want. I am sending a copy of
the letters so they may help in references to
the issue.

Elmo Krogue

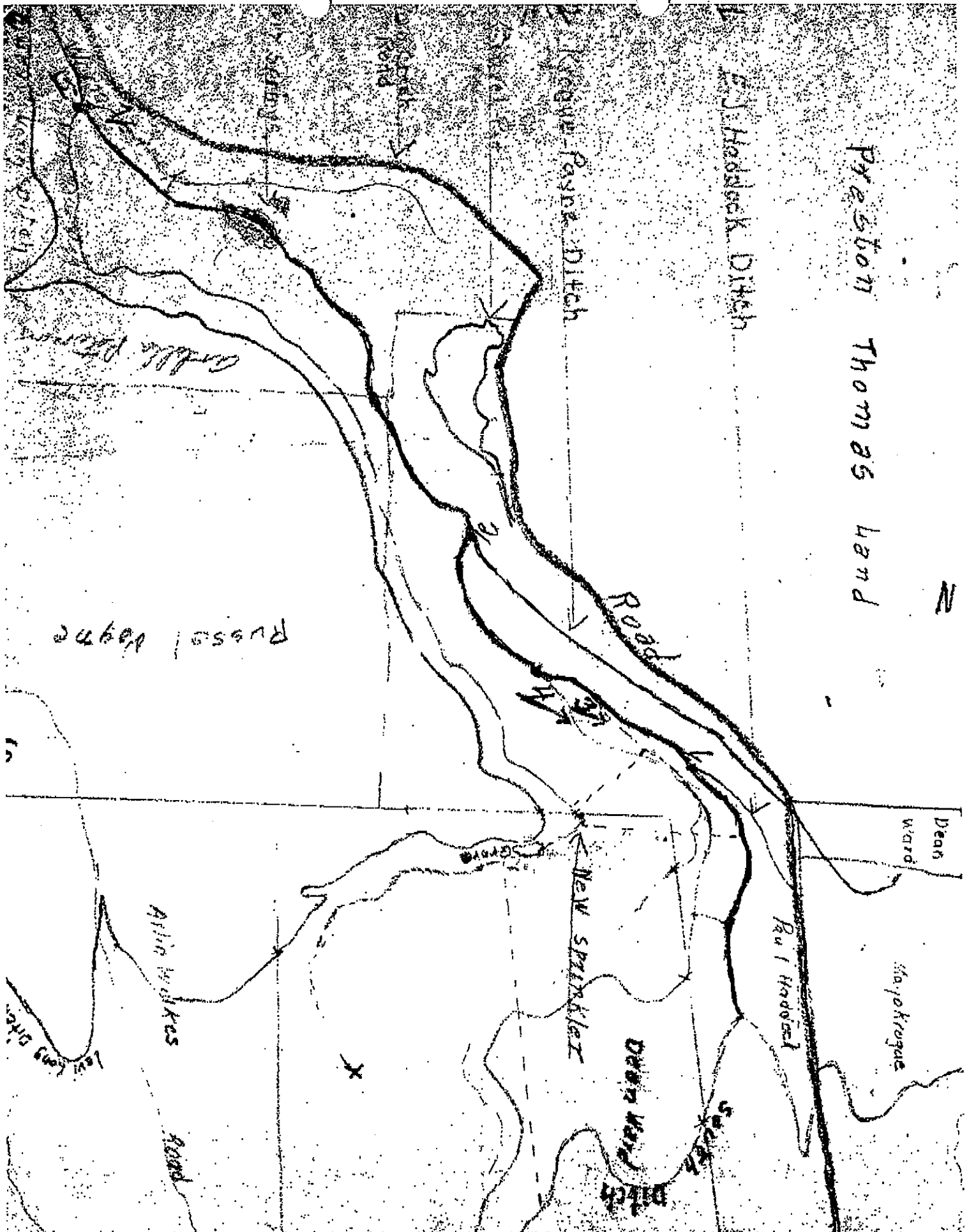
MEETING OF WATER OWNERS JUNE 20/59

D.E. Haddock, James Payne, Mayo Krogue, Jay Nelson
and Dean Ward

1 day for each 3 inches of water.

Haddock 1st. 14 inches = 4-2/3 days.
Krogue 2nd. 27 1/2 inches = 9 days.
Payne 3rd. 9 inches = 3 days.
Ward 4th. 36- 7/8 inches = 12- 1/3 days.
86- 3/8 inches = 29 day rotation.

(over)







STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 2, 1977

RE: Application for Transfer No. 11-1058/etc. WARD AND HADDOCK

Mr. Mayo Krogue
Bloomington,
Idaho 83223

Dear Mr. Krogue:

This is to acknowledge receipt of the protest to issuance of the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

May 31, 1977

Mr. Ronald D. Carlson
Regional Supervisor
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

I wish to protest application for transfer No. 11-1058/etc. filed by Dean Ward of Bloomington and Grant Haddock of Paris, Idaho.

I object to this change in point of diversion for several reasons. First, some of the land described in the application has not been irrigated for the last fifty years, if they ever have been irrigated. Approval of this application would, therefore, result in an expansion of this right.

Second, the change proposed would remove all of the water from the existing channel since the water is used in rotation, I would never get the 26½ inches of water I am entitled to under the decree, thus causing substantial damage to my right.

My third reason for protest is based on the fact that the change in point of diversion has already been accomplished through trespass on the land of another person, I feel that the applicants should have the responsibility of obtaining the necessary easement prior to the construction of their new diversion ditch.

Very truly yours,



MAYO KROGUE
Bloomington, Idaho



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 5, 1976

Mayo Kroque
Bloomington,
Idaho 83223

Dear Mr. Kroque:

Your January 3rd letter raises several important questions regarding water rights.

A new water right for the use of surface water can only be established by the filing of an application and the issuance of a water right permit. This permit may be granted only if there is sufficient water in the source and if it does not interfere with other existing prior water rights.

A change in an existing water right may be made only after an application for transfer is filed and approved. Again the approval will be granted only if it does not injure another existing water right.

We are forwarding your letter to our regional office in Idaho Falls and perhaps, they will be in your area in the near future to discuss this problem with you.

We hope this information will assist you.

Sincerely,

A handwritten signature in cursive script, reading "Bobby D. Fleenor".

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

cc: Idaho Falls Office

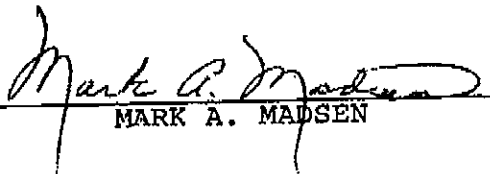
August 31, 1977

To Whom It May Concern:

The property which in my youth the family referred to as the "South Field" and which my father transferred to George Ward while I was still quite young was watered under the worm creek ditch in the upper portion and by the south ditch in the lower portion.

The extreme upper portion consisted of a rather steep hillside and within my recollection was never watered. The ditch to my knowledge came around the lower end of this hillside and it (the hillside) could not have been watered. I have a faint recollection of a higher, but unused ditch. I observed my father (and later briefly assisted him) in irrigation of that portion of this property under water and I never recall water coming anywhere except under the hillside in question.

Dad attempted to dry-farm the hill on one or two occasions, but it was basically used as dry pasture after crop removal from the irrigated fields below.


MARK A. MADSEN