

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, August 01, 2007 9:58 AM
To: 'Mike Eisenman'
Subject: RE: Multiple Water Rights Transfers

Mike,

That will be fine. I would prefer that you check your books. It is really rare to not be able to find a fee of that amount, but I want to make sure our records are correct before making you pay the fee. I am a firm believer of the "never say never" theory. Everyone should have recieved their letters by then, so we may want to talk about the warranty deed issues at that time.

I will see you on the 9th.

Dan Nelson

-----Original Message-----

From: Mike Eisenman [mailto:mike@bancardusa.net]
Sent: Wednesday, August 01, 2007 9:22 AM
To: Nelson, Dan
Subject: RE: Multiple Water Rights Transfers

Dan,

No challenge. Thanks I'll wait for the email.

I am down there on the 9th. Would that be alright to bring the check by on that day? Or should we get it over to you this week.

I would like to look thru our books and see if perhaps we might find a check. but I don't remember handing one in.

Mike.

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Wednesday, August 01, 2007 8:02 AM
To: Mike Eisenman
Subject: RE: Multiple Water Rights Transfers

Mike,

The \$200.00 you paid was for the Well Upgrade Fees. Not the transfer fees. The transfer fees are separate. The total amount due on the transfers is still \$1200.00. SO, if you didn't pay for the transfers when you submitted them, then you will need to pay the full amount of \$1200.00.

Sorry I didn't catch this earlier, that was partly my mistake. Transfers generally aren't accepted without the filing fees, but they were accepting everything that cam in at the time you submitted due to the SRBA processing issues.

I have heard back from the attorney, and they are sending over a draft letter this morning to be sent out to everyone involved in the transfers concerning the ownership information. Once I get the draft letter, I send you a copy of all the letters being sent out by email. I will also send you a the hard copy by general post. It looks as though you are going to need to get the warranty deeds fixed.

I am sorry about all of this confusion.

8/1/2007

Dan

-----Original Message-----

From: Mike Eisenman [mailto:mike@bancardusa.net]

Sent: Wednesday, August 01, 2007 8:43 AM

To: Nelson, Dan

Subject: RE: Multiple Water Rights Transfers

So you are saying the balance is 1000.00 and also some of the people had given you a check correct? Or not.

Let me know what we need to make you out a check for and I'll get it over to you.k

Thanks Dan.

Mike.

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]

Sent: Wednesday, August 01, 2007 6:07 AM

To: Mike Eisenman

Subject: RE: Multiple Water Rights Transfers

Mike,

Yes, I do have a check for the well upgrade fees that you wrote. That check was for \$200.00 and listed under receipt number W035652. The check number on that right was 1002, and it was a counter check that you wrote the number on.

I hope this helps.

Dan

-----Original Message-----

From: Mike Eisenman [mailto:mike@bancardusa.net]

Sent: Tuesday, July 31, 2007 4:02 PM

To: Nelson, Dan

Subject: RE: Multiple Water Rights Transfers

Dan,

I did write you a check already for some amount, you do have that on file right? I'll have to go back and see if we made out a check back then. I'll let you know.

Mike.

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]

Sent: Tuesday, July 31, 2007 9:58 AM

To: Mike Eisenman

Subject: Multiple Water Rights Transfers

Hello Mike,

I just wanted to keep you updated on the transfers you filed and let you know where things are standing. First of all, the ownership issues still haven't been addressed by our attorneys yet. I know that he is working on it, but he still has some research to do at this point. Here is what I know right now:

-- - The water rights are conveyed by the warranty deeds, but your deeds are silent. This silence might be addressed in a couple of different ways, but most of them require letters of agreement from all of the parties. The biggest issue we are dealing with right now is that you did file your transfer before the sale of the properties, unfortunately, our records don't show that you paid for the transfers. Therefore, we really don't consider the transfers as recieved until the fees are paid. I checked all of the receipts in our office and couldn't find anything that matches up. The fees are as follows:

Perez - Lot 1 - 0.10 cfs - \$100.00 fee
Reade - Lot 2A - 0.05 cfs - \$ 100.00 fee
Galbraith - Lot 2B - 0.05 cfs - \$100.00 fee
Suncrest - Lot 3 - 0.10 cfs - \$100.00 fee
Frisbee - Lot 4 - 0.10 cfs - \$100.00 fee
Prindle - Lot 5 - 0.40 cfs - \$250.00 fee
Brooks - Lot 6 - 0.20 cfs - \$100.00 fee
Atwood - Lot 7 - 0.20 cfs - \$ 100.00 fee
Eisenman Family Trust - Other Lands - 0.92 cfs - \$250.00 fee

TOTAL = \$1200.00 total fees required.

I have searched our records and can't find any fees relating to you or the trust in the amount of \$1200.00. I thought we had discussed that during the processing and that you had said you did pay for them, so I want to make sure we didn't miss anything. If you could send me a copy of the receipt or give me the number of the receipt that might make a significant difference. If not, we may have to look at some of the other alternatives.

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources