

Cox, Sharla

From: Foster, Bob
Sent: Tuesday, January 24, 2006 8:16 AM
To: Cox, Sharla
Subject: FW: Objections to Water Rights Filings

For your information. These folks weren't very happy. Bob

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

From: Bob Loucks [mailto:bloucks@salmoninternet.com]
Sent: Monday, January 23, 2006 7:36 PM
To: Dave Tuthill
Cc: Carl Ellsworth; Bob Foster
Subject: Objections to Water Rights Filings

Dave,

Thank you so much for your prompt response to my email. LID has filed objections to both the James Whittaker (74-15613) and Velma Mahaffey (74-15629) filings. The Al Simpson filing creates no new irrigated ground - the ground has always been irrigated with wastewater from Bohannon Creek lands. So, in our opinion this is simply legalizing current practice. The Albert Anderson filing is so small that we decided not to contest it.

I know that this seems inconsistent; however, we objected to the Velma Mahaffey right primarily to be consistent in opposing additional irrigated lands until the status of the Lemhi Instream Flow water right is determined *vis a vis* new lands. Velma has another "out". She could refile this as domestic and change the place of use and source of water from some of her irrigated lands across the Lemhi River, thereby retaining her current priority date on the irrigated land. In the long run, this would certainly make her happier than having her water shut off every time the river goes to regulation.

In the process of filing these objections, we ran into a little problem with IDWR. Carl Ellsworth called the Idaho Falls office this morning and talked to someone named "Dave". This gentleman informed him that the objections had to be on his desk today. Carl asked if they could be mailed postmarked today. Dave said no. Then Carl asked if they could be filed in Salmon. Dave said no. He insisted that they had to be filed in Idaho Falls today.

In the process of getting the objection forms today from Bob Foster, Bob informed me that we could file the objections with him and he would date them today. He also told Carl Ellsworth the same thing Friday (which was why Carl asked Dave about filing them in Salmon).

Fortunately, Carl had to haul a load of cattle to Blackfoot today, so he planned to hand deliver the LID objections and his personal objection (to 74-15613) to the Idaho Falls office.

I'm only bringing this up because I believe that everyone in IDWR should be "on the same page". If this is some kind of power struggle, you need to straighten it out. A person would think they are dealing with the IRS.

S/Bob Loucks