

Memorandum

To: Water District 11
From: Tim Luke
Date: August 4, 1999
Re: Phone Conversation with Pete Peterson Regarding Lloyd Ditch

This memo summarizes some hand written notes that I accumulated in one or possibly more discussions with Pete Peterson between July 15 and July 22 concerning the July 14 correspondence that Tracy Baxter sent him and faxed to me.

Pete said this matter concerns the Lloyd Ditch. He believes that this ditch serves only land that James Smith currently owns and purchased from FHA over the past year. He did not believe that Baxter was a user from this ditch but acknowledged that the ditch may cross some of Baxter's property. Pete explained that rights on the ditch and the area it serves was originally owned by Kay Rigby. The rights to this ditch according to Pete's records, add up to 11 cfs and consist of four rights: 11-00927, 00946, 00947 and 00948. Pete said Rigby also owned another parcels in the area that was irrigated from the Sorensen Ditch. It appears this information may have originated from the department as a result of work completed for Hydrology Section's Bear River accounting program. Pete said that the Lloyd Ditch land was acquired by FHA about 1987 or 1988. There had been several different lessees on the land that diverted water from the Lloyd Ditch between 1988 and present. Pete mentioned that he believed Baxter's attorney was claiming that rights on the Lloyd had been forfeited.

Pete also mentioned that he thought assessments had been sent to FHA and/or some lessees between 1988 and 1998. He advised that I contact Gerald Brown, water district secretary for information regarding assessments. I asked if anyone had contacted the county to determine or compare current ownership with the water rights. Pete said he had not and did not know if Brown had done this. I advised Pete I would research the current ownership and decreed water rights place of use and provide some written response to the parties. This was completed on August 3, 1999.

BEAR LAKE Co. Assessors Office
14S 45E 23

S $\frac{1}{2}$ ~~SW~~ S $\frac{1}{2}$ TRACY BAXTER
N $\frac{1}{2}$ SW MARINER JENSEN
N $\frac{1}{2}$ SE JAMES SMITH

NW $\frac{1}{4}$ MARINER JENSEN
NE $\frac{1}{4}$ JAMES SMITH

~~W $\frac{1}{2}$~~
sec 24 W $\frac{1}{2}$ NW } SMITH
NW SW }

NW SE BLM

sec 26 E $\frac{1}{2}$ NW $\frac{1}{4}$ BAXTER
except Railroad

sec 14 SESE SMITH

11 - 946 & 947

- 14 QQ sections w/in ownership

Boundaries Pro-rated Basis

Baxter 4 QQ / 14 28.6%

Jensen 4 " / " 28.6%

Smith 6 " / " 1 not irrig - steep slope.

→ 42.8%