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FIRST SECURITY BUILDING
911 WEST IDAHO
POST OFFICE BOX 829
BOISE, IDAHO 83701

Telephone (208) 345-2000

Facsimile (208) 385-5384

January 5, 1995

Willis C. Moffatt
(1907-1980)

E. Renn Yorgason
Office Administrator

Gary T. Dance
Partner in Charge
Eastern Idaho Offices

IDAHO FALLS, IDAHO
525 Park Avenue, Suite 2D
Post Office Box 1367
83403

Telephone (208) 522-6700
Facsimile (208) 522-5111

POCATELLO, IDAHO
845 West Center, Suite C
Post Office Box 4941
83201

Telephone (208) 233-2001

Idaho WATS: 1 (800) 422-2889
ABA Net 010

TRANSMITTED VIA FAX

Mr. Tim Luke, Section Manager
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706-2237

Mr. Harold Jones
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RE: City of Preston Transfer Applications
Preston-Whitney Petition to Extend Term of Watermaster Services
MTBR&F File No. 16-832

Gentlemen:

This letter addresses the status of efforts to meet for a pre-hearing conference on the City of Preston's transfer application and the Cub River Irrigation Company's transfer application, both affecting City of Preston diversions at Bergquist Springs. In addition, this letter confirms my telephone conversations of Wednesday, January 4, 1995, with Tim Luke, Ken Spiers (of Montgomery-Watson Engineers in Salt Lake City), and Kent Foster.

A MEETING IN BOISE MAY BE POSSIBLE ON JANUARY 11

Randy Budge, who represents the Cub River Irrigation Company, and Kent Foster, who represents the Preston-Whitney Irrigation Company, both have business in Boise the week of January 9, so it may be possible to have an informal meeting in Boise sooner than we could arrange for a prehearing conference meeting in Preston. Mr. Budge will be in Boise on Wednesday, January 11. I will have my office coordinate with Kent Foster, Norm Young and Tim Luke to see if there is a time and location where we can meet in Boise.

Mr. Tim Luke
Mr. Harold Jones
January 5, 1995
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We anticipate that the meeting would be an opportunity to share information about the pending transfer applications and the more recent petition to extend the term of the watermaster service for Water District 13-A on the Cub River. This appeared to be the quickest way to have a meeting, until more of us are able to meet for a prehearing conference in Preston.


IDWR IS CONSIDERING HAVING THE WATER MASTER DELIVER WATER TO THE CITY OF PRESTON BASED ON HISTORIC WATER FLOWS

Norm Young, Tim Luke and Phil Rassier met Wednesday morning to discuss the Preston-Whitney petition to extend the watermaster's term of service to include the non-irrigation season. Mr. Luke called me after the meeting to ask if the City could provide the Idaho Department of Water Resources (IDWR) information to confirm the amount of the City's non-irrigation season diversions at Bergquist Springs prior to 1969, the year the transfer statute was enacted in Idaho. IDWR would then use this data to instruct the water master to make deliveries until a more formal resolution is reached on the City's water rights.

Arlene Nash, the Preston City Clerk, and I were both able to reach Ken Spiers of Montgomery-Watson Engineers in Salt Lake City who helped install the hydropower system for the City of Preston in the late 70s/early 80s and might have access to records or data that would enable IDWR to instruct the watermaster to deliver a set amount of water to the City. In particular, Mr. Spiers may have the 1977 master water plan for the City of Preston as well as factual characteristics about the 12" diameter pipe which we understand began use (from Bergquist Springs to Preston) in 1920 and was finally replaced by an 18" diameter pipe in 1979 due to the City's hydropower operation. Information such as slope and whether the 12 " pipe was an uncontrolled pipeline with free flow, etc. will help establish the historic diversions. Mr. Spiers was going to look at this data Wednesday evening and call me as soon as possible Thursday morning. I was able to convey this information to both Tim Luke and Kent Foster late Wednesday.

Debra Cline, my administrative assistant, and I will try to make the arrangements for a meeting that will accommodate Mr. Foster and Mr. Budge's travel to Boise. Please feel free to call either of us.

Sincerely,


Josephine P. Beeman

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Mr. Harold Jones
January 5, 1995
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JPB/kf

cc: Mr. Phil Rassier, Deputy Attorney General, IDWR
Kent Foster, Preston-Whitney Irrigation Co.
Randy Budge, Cub River Irrigation Co.
Arlene Nash, City of Preston Clerk
Clyde Nelson, Esq.
Ken Spiers, Montgomery-Watson Engineers

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