

November 19, 2007

Cindy Bird
Idaho Department of Water
Soda Springs, ID 83276

Cindy:

I appreciate your help with our water problems.

I have been able to establish the Spring Creek Water out of Lamont Reservoir – Tom Peterburg owns the land that it angles through and onto Oncida Street. It flows west and into the northwest channel of Spring Creek. Lamont Reservoir was built in 1949. My sister married Seeburn Lamont's son who owned the farm that would have been inside the reservoir. There was water flowing through his farm. Tom said that was why he lived. Tom also knew about the water coming east into the area south of Johnson Reservoir. This stream runs all year and would be another arm of Spring Creek. There are several springs coming up in the area south of Johnson Reservoir. This area I have indicated on the map some of the springs and where this water runs. The ditches and channels have been tramped badly and not maintained as the water flows through this area. There are probably 5 to 8 springs that come up throughout this area.

I was also told there are very good springs in the bottom of Johnson Reservoir. While they were repairing the dam and had all outside water turned out the reservoir rose 3 feet.

Tom also told me of a court decision regarding the Webster on Worm Creek and their water rights. The court was said to have ruled that since Preston Whitney dumped Cub River water into Worm Creek that the Cub River water was not distinguishable and so it became Worm Creek and he had full right to her decreed.

Water Rights

13-0300 – 1879 264.4 AF 1.50 R of D

13-0299 – 1909 238 AF 1.38 R of D

Preston Whitney

13-0271 – 1880 2000 AF 50 R of D

13-2022 – 1910 5457 AF 30 R of D

I have not had the time to get a copy of this case or decision.

I would think this would be very helpful and could be very important in establishing why we have the right behind Preston Whitney's 1880 water. Just as Mark Webster had a right before 1879 and again right after.

I also established the flow of Spring Creek from Ed Moser pond. Tom Peterburg married Ed's sister and he knows all of these drain ditches. It runs behind Ed and Judy's family home on the east corner of 2200 East and west to east side of the road then south a piece and then under the road to the west side of the road and then south and dumps into Spring Creek as shown on the map.

Sincerely,

Eldon Golightly

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 fax

Idaho Department of Water Resources

Fax

To: Tim Luke From: Cindy Bird
Fax: 1-208-887-6700 Pages: 2
Phone: 1-208-287-4959 Date: 11/20/07
Re: Eldon Golightly. CC: _____

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• Comments:

Tim,
Attached is a letter from Eldon.
He also sent a map but you can't
read it.

Cindy