

WD 37

Merritt, Allen

From: Luke, Tim
Sent: Thursday, March 20, 2008 3:24 PM
To: Homan, John; Rassier, Phil; Merritt, Allen
Cc: Peppersack, Jeff; Bromley, Chris
Subject: FW: District 37 Resolution 14 correspondence

Attachments: DOC080320-002.pdf; DOC080320-003.pdf



DOC080320-002.pdf (35 KB)
DOC080320-003.pdf (56 KB)

FYI,

Thought you should all be aware of this. Please disregard if Chris Bromley already forwarded this to you.

Tim

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

From: Kevin Lakey [mailto:watermanager@cableone.net]
Sent: Thursday, March 20, 2008 2:37 PM
To: Luke, Tim; Bromley, Chris
Subject: District 37 Resolution 14 correspondence

Tim,

FYI. I left a message on your phone concerning Water District 37 correspondence with water user's attorneys. I have also attached their requests for information. We have already responded to Evan Robertson's request, and are in the process of responding to Ed Lawson.

Kevin Lakey

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

Edward A. Lawson
eal@LawsonLaski.com

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

March 19, 2008

Water District 37 & 37M
107 West 1st
Shoshone, Idaho 83352-5425

Re: The Meadows LLC – Account No. 265
Our File No.: 10499-004

Dear Sir/Madam:

We are counsel for The Meadows LLC on whose behalf we were forwarded the Water District 37 & 37M (“District”) Statement dated February 29, 2008 invoicing our client for \$638.37 purportedly to implement Resolution No. 14 adopted at a meeting of water users on January 14, 2008. Our client is concerned with the process leading to, and the substance of, Resolution No. 14. In order that we may better advise our client regarding the actions taken by the District’s officers and directors in the name of the District, we request that you provide us with the following:

1. A narrative explanation of how, why and by whom the Resolution was proposed.
2. Copies of all minutes, resolutions, and other documents evidencing authorization for the Resolution.
3. A full and complete copy of all charter and other District organizational documents.
4. A current list of District water users, including addresses and telephone numbers.
5. A current list of all directors, officers and employees of the District, including the dates of their election or appointment to their respective positions, and the dates their terms expire.

We are also curious to know the scope of work planned for “research to update the district’s records”, as described in the Statement, including why the research is needed, who will do the research, who will supervise the researcher, the compensation arrangements, and the intended use of the research results.

Further, our client wants to know why another deputy for enforcement of water rights is necessary and how it was determined that the current deputy requires assistance. Toward that

Water District 37 & 37M

March 19, 2008

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end please provide us with the time records for the current deputy and a narrative description of the work he or she performs, wages paid and what work is not being performed, if any.

We look forward to your prompt response.

Sincerely,

LAWSON & LASKI, PLLC

A handwritten signature in black ink, appearing to read "E. Lawson", with a stylized flourish at the end.

Edward A. Lawson

Cc: Client

WATER DISTRICT 37 & 37M
 107 WEST 1ST
 SHOSHONE, ID 83352-5425
 Phone:(208)886-2451 Fax:(208)886-7930

STATEMENT

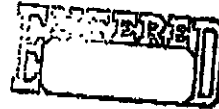
THE MEADOWS
 % KANSHAR % R J SHARP
 P O BOX 475
 SUN VALLEY ID 83353

change address

ACCOUNT NO.
 265

DATE
 02/29/2008

DATE	INVOICE NO.	DESCRIPTION	CHARGES	CREDITS	BALANCE
02/28/2008	10,08	DECREED WATER-37	638.37		638.37



At the annual meeting held on January 14, 2008, the water users voted to pass Resolution #14, which provided for research to update the districts' records. Additional funding was including for the hiring of another deputy for enforcement of water rights. For these reasons, you may see an increase in your water assessment.

Our mailing address has changed to: Water District 37 & 37M
107 West 1st
 Shoshone, Idaho 83352

*due to/from
 water expense?*

UE BY APRIL 1ST. INCLUDE YOUR ACCOUNT NUMBER WITH YOUR PAYMENT. PLEASE NOTIFY THIS OFFICE OF WNEERSHIP AND/OR ADDRESS CHANGES. THANK YOU!

Current	30 Days	61 Days	92 Days	122 Days	AMOUNT DUE
638.37	0.00	0.00	0.00	0.00	638.37

Robertson & Slette, p.l.l.c.
ATTORNEYS AT LAW



J. EVAN ROBERTSON
GARY D. SLETTE

Robin L. Moore, PLS - Paralegal

134 Third Avenue East
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 933-0700
FAX (208) 933-0701

J. EVAN ROBERTSON

March 18, 2008

Cyndi McCowan
Secretary/Treasurer
Water District 37
107 West First Street
Shoshone, ID 83352

**RE: District 37 Advisory Board
2008 Resolution No. 14, Research to Rebuild District Records**

Dear Ms. McCowan:

I attended the Advisory Board's meeting of March 11, and appreciate receiving copies of various documents, including Board meeting minutes for January 14 and February 7, and the responses received to your RSQ and RSP by Waiora Water Resources and ERO Resources Corp, both dated March 10, 2008. However, in reviewing those minutes, it is apparent that I may have missed some other documentation important for my assessment of the actions the District is proposing to take pursuant to Resolution No. 14, including the following:

1. Letters to the District from Nick Purdy and Tim Luke referred to in the minutes of the February 7th meeting.
2. The emails referred to in the minutes of that same meeting sent to Kevin Lakey b John Harmon, Deputy Idaho Attorney General, and to Tim Luke of IDWR.
3. Copies of the RSQ and RSP sent by the District to Waiora and ERO.
4. The "list of things" to be given to Tim Luke and/or Allen Merritt of IDWR, referenced at the top of page 2 of the minutes of the February 7th Advisory Board meeting.
5. An executed copy of 2008 Resolution No. 14.

Cyndi McCowan
March 18, 2008
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5. An executed copy of 2008 Resolution No. 14.
6. Any other correspondence received by the District by mail, email, or fax from District 37 Water Users and IDWR personnel.

I would like to thank you in advance for any assistance you can provide to me in obtaining the above-referenced materials, which can be mailed to me P.O. Box 1906, Twin Falls, Idaho, 83303, or emailed to erobertson@rsidaholaw.com. Finally, I would also like to receive notice of the next meeting at which Resolution No. 14 or its subject matter will be considered.

Sincerely,



J. EVAN ROBERTSON

JER:rlm

Encls.

rimjerlettermccowan_water district