

MEMORANDUM

*Check on  
status of Texas  
portion of records*

TO: NORM YOUNG

FROM: TIM LUKE

DATE: June 7, 1994

RE: TELEPHONE CONVERSATION W/BOB BLACKADAR CONCERNING MYRTHUS  
AUSTIN RIGHTS FROM JESSE CREEK

=====

On this date I received a phone call from Blackadar about the abandonment of the Myrthus Austin rights. Blackadar claims that the rights which Austin claimed in the SRBA have been abandoned at various times in the past either by Austin himself or his predecessors in interest. He claims that past water district budget reports and annual water master reports will show that the rights claimed by Austin had periods of non-use or the use was always much less than what has been claimed in SRBA. Blackadar wants IDWR to intervene in some litigation of his with Austin and admit that IDWR has made an error in recognizing certain rights on a water rights delivery list which was provided for the watermaster and water district in 1992. Presumably IDWR would also make some finding that Austin either has no water rights, or is entitled to less water than he has claimed. Blackadar said he has some petition with you that asks IDWR to intervene. I reminded Bob that the list which he described was put together based on information from the watermaster, SRBA claims and original decreed rights. IDWR just did not have a lot of other information or time in 1992 to make decisions as to whether certain water rights may have been abandoned. I believe George Austiguy did look at some past water district records and my recollection is that these records were not particularly useful in making the type of determinations that Bob would like us to make.

I informed Blackadar that I would inform you of my conversation with him. I also stated that I would take direction from you regarding the review of any water district reports.