From: DWR60::AMERRITT 1-JUL-1997 15:31 Vault - File 43B
To: DWR03::NYOUNG
CC: AMERRITT
Subj: FYI

FROM: Allen Merritt DATE: June 30, 1997

TO: Clear Ck File

SUBJECT: Phone conversations

This morning Jeff Sessions called and indicated that he received my 6/26/97 letter last Friday (6/27). He indicated that he had not yet been delivered water as of Monday (6/30) morning. He further indicated that delivery had also ceased to Jones and all the water was going to the users down the creek yet there appeared to be plenty of water in the creek. He said this appeared to be against the direction given in my letter and wanted to know what I was going to do. I told him I would attempt to call Sundberg but told him that based on my recent attempts I probably wouldn't catch him. I told him I would get back with him.

I immediately called Mr. Sundberg and was able to get a hold of him. I asked if he had received my letter and he indicated he had not. He indicated he was preparing a response to Ling's June 25th letter to send me. He said he had picked his mail up Friday morning but the Fridays' delivery was not in yet when he picked it up. He said he hasn't been back to the Post Office since he has been working over the weekend on a timber contract that was due. I asked what water he was delivering and he said there was about 24 cfs total in the creek and they were on the 12 day run. He said that Sessions was off and Jones was off and Jones' water was going to ???(maybe Arimo) for what Jones had turned out earlier. I told him that my letter instructed him to deliver Sessions what the flow of the creek indicated (1.7 cfs) and that he needed to get the letter for the details. I asked him to turn Sessions water as soon as possible. He said he would.

I called Sessions back and informed him that I contacted Sundberg and that he was going to deliver 1.7 cfs. Sessions asked about rotating with Jones so he would get the whole stream. I told him I understood Jones's water was going to someone else so he would get 1.7 cfs. Sessions expressed is concern of how things have been handled. We discussed if he petitioned to remove the watermaster, that IDWR would call a hearing or meeting but since the water was going back to Utah soon that it may not do any good. We then discussed the future water district meeting and his desire for Sundberg not to be watermaster. I told him it would be up to the waterusers to elect who ever and I was not going to dictate who that might be. I told him the district could vote one vote per man but if anyone demanded they would have to vote on water delivered or budgeted and paid for in prior years. In that event it appears that Holmgren could control the election.

I told Sessions that on reviewing the numbers from the watermaster that it appears to me that Sundberg up until the June 9th was attempting to do a good job and it appears the measuring devices seemed to be the problem. I told him I did not agree with him being delivered a whole bunch of water after 6/9 and then having

been shut off; that's what my 6/25 letter attempted to address. I told him I now understand he will be getting his fair share of 1.7 cfs until the creek goes back to Utah and I don't know how to correct the rotation with Jones. I also told him by my calculations from what had been delivered prior to 6/9 that he had little to complain about since he had been delivered around 95% of what he was entitled. I told him that 95% seemed to me to be within the accuracy of most measuring devices.