

From: DWR60::AMERRITT 11-MAR-1996 14:55:26.12  
To: JSTANTON  
CC: AMERRITT  
Subj: PHONE CONVERSATION WITH DON GUNDERSON, WM ON MARSH CK

DON CALLED AND WE DISCUSSED THE CONTINUING BENNIE SMYER SITUATION WITH HIS DAM ON SUMMIT CK. LAST YEAR WE WROTE LETTERS DIRECTING HIM TO DIVERT THE WATER INTO THE BYPASS DITCH THRU HIS RESERVOIR TO PREVENT INJURY TO DOWNSTREAM DECREE HOLDERS. WHEN THE WATER WAS ALLOWED TO POOL IN THE RESERVOIR A LARGE PORTION SEEPED AWAY. BENNIES ARGUMENT WAS THAT THE WATER WOULDN'T MAKE IT DOWN THE ERODED CHANNEL BUT AFTER HE TURNED IT IN THE DITCH AND IT WAS ALLOWED TO FLOW FOR A TIME WATER DID MAKE IT DOWN AND DON WAS ABLE TO DELIVER IT.

RECENTLY DON HAS LOOKED AT THE DAM AND FOUND THE WATER HAS BEEN TURNED AGAIN INTO THE RESERVOIR POOL. DON PRESENTLY IS NOT DELIVERING WATER SO IT PROBABLY DOES NOT MATTER BUT IN ANTICIPATION FOR THE IRRIGATION SEASON I THINK WE SHOULD SEND SMYERS A REMINDER LETTER TO TURN WATER INTO THE BYPASS DITCH. PLEASE DRAFT THE LETTER.

ALLEN