

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00115C

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 29, 1996 4:02pm

NAME:
ROBERT AND FAYE TUPPER CAMEIN

RE:
FILE LATE CLAIM

THEY WERE BROUGHT TO ME BY JIM STANTON TO EXPLAIN WHY THEY HAD NOT RECEIVED A PORTION OF THE OLD DECREED RIGHT TO THEIR PLACE... AFTER REVIEWING THE INFO IT APPEARS THEY DID NOT CLAIM ANYTHING BASED UPON THE OLD RIGHT 36-00115.

THEY ASKED TO FILE A LATE CLAIM SO I PREPARED A CLAIM FORM BASED ON THE DECREED RIGHT 36-00115 AND ASKED THEM QUESTIONS TO FILL IN THE REQUIRED FIELDS. THEY ARE TRYING TO PROTECT THEIR FISH USE AND DECIDED TO INCLUDED THE 1.0 CFS SHOWN IN LICENSE 36-07841 AS A PART OF THE DECREED PORTION. THEY REFERRED TO A STATEMENT IN A WARRANTY DEED THAT RESERVES THIS 1.0 CFS.

I GAVE THEM THE CLAIM AND A COPY OF THE FILING FEES ALONG WITH THE FORMS SF4, AO-10 & AO-1 AND THE DOCKET SHEET INFO SHEET.
CLAIM AS FILED IS : A36-00115C.

Post-It® Fax Note	7671	Date	# of pages 3
To <i>Tim Luke</i>		From <i>Allen Newitt</i>	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

AFFIDAVIT

COPY

I, Robert A. Erkins, a resident of Gooding County, Idaho, state that I was the president of the Idaho Springs Trout Company, Inc., of Hagerman, Gooding County, Idaho.

During the period of time my wife and I owned the Idaho Springs Trout Company, Inc., we used various sources of water: 1) from the springs and water impoundment located behind the Vardis Fisher home, 2) from a spring behind the Robert Tupper home and dairy, and 3) from Billingsley Creek.

The water from the Fisher area was filed on and the Idaho Springs Trout Company, Inc., paid an annual fee to Vardis Fisher, and later his estate, to maintain a dam which formed a lake out of which the water to the fish farm flowed.

The Billingsley Creek water was filed on by us and diverted by a dam with a fish ladder into the fish ponds of the Idaho Springs Trout Company.

The water which flowed from the Tupper Springs through the Tupper property, under the State of Idaho Water Right of the Robert Tupper's, was used free of charge by us in the late 1950's, all of the 1960's and into the mid-1970's (we finalized sale of the business to the Inmont Company, which continued to use the Tupper water under our prior agreement, in May 1975 after which I was no longer associated with the property) with the permission of the Robert Tupper's in exchange for various development projects done by Idaho Springs Trout Company, Inc. such as fence construction, water pipe construction, land development, and road development for access to the Vardis Fisher property and the Idaho Springs Trout Company and away from the Tupper home.



Robert A. Erkins

May 2, 1996

A36-00115C

6/9/94

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IDWR Employee/Agent Steve Clelland

May 2, 1996 4:46pm

NAME:
MR. & MRS. ROBERT TUPPER

CAMEIN

RE:
AFFIDAVIT INFO

THEY BROUGHT IN AN AFFIDAVIT (NO NOTARY) FROM ROBERT ERKINS. IT DESCRIBES SOME OF THE HISTORY OF THE PLACE. THEY SUBMITTED IT IN RESPONSE TO THE ORDER TO SHOW CAUSE AND ASKED IF THEY STILL NEEDED TO FILE WITH THE COURT. I TOLD THEM THEY NEED TO FILE A CLAIM WITH THE COURT TO PUT THE RIGHT ON RECORD AND SEND THIS TO OUR BOISE OFFICE TO ANSWER THE SHOW CAUSE ORDER. BOTH ACTIONS ARE NEEDED TO CONTINUE PURSUIT OF THE CLAIMED RIGHT. THEY ASKED IF THEY SHOULD GET ANOTHER AFFIDAVIT AND I TOLD THEM IT HAS BEEN MY OBSERVATION THAT THE MORE SUPPORT YOU CAN GET FOR YOUR CLAIM THE BETTER IT IS TO HAVE. [CLAIM A36-00115C IS PENDING AS LATE BEFORE SRBA]