

Holliday, Michael

From: McHugh, Candice
Sent: Thursday, March 04, 2004 11:27 AM
To: Holliday, Michael
Cc: Carlsen, Ernie
Subject: RE: 25-4095

Michael,

The language in conclusion of law number 4 does not mean that Watermaster control of this water right is not allowed. It is fairly boiler plate language that means other people are not allowed to take quantity from this water right unless they have a right to (they are senior, for instance). I was thinking this language was going to set it aside as a separate source, which it does not.

However, because I don't think we use the "Watermaster control" remark in the adjudication, I would not include it on this recommendation unless Ernie directs you otherwise.

Candice

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

From: Holliday, Michael
Sent: Thursday, February 26, 2004 1:43 PM
To: McHugh, Candice
Subject: 25-4095

Hi Candice.

I am working on 25-4095, which is based on an October 7, 1985 decree, 7th judicial district, Jefferson County, Lyle & Fern Scott vs. Ron Carlson. The source is Annis Slough, tributary to the Snake River. It seemed reasonable to me to add a remark to my recommendation stating that this right would be subject to regulation by the watermaster of Water District 1. However, the legal language in point number 4 of the decree made me question whether or not the remark should be included in the recommendation. Would you please give me some direction as to whether or not this right is subject to regulation by the watermaster? Also have you come to any conclusions regarding the Rasmus Hoff decrees that we spoke of awhile back? Thanks for your help.

Michael Holliday
Water Resource Agent
Adjudication Bureau
(208)525-7161