

29-04157

① CHANGE OF OWNERSHIP IS INDICATED. ~~Attached~~

a.) DEEDS SHOW CHAIN OF TITLE AS:

<u>SELLER</u>	<u>BUYER</u>	<u>DEED DATE</u>	<u>REMARKS</u>
JOHNSON	TO KELLY	4/30/1996	(NO MENTION OF Rts.)
KELLY	TO MID OHIO SEC.	7/5/2000	(NO MENTION OF Rts.)
MID OHIO SEC.	TO PORTER	7/6/2000	<u>(Cutler Ditch Rts WITHHELD)</u>
PORTER	TO HARDCASTLE	7/6/2000	<u>(Cutler Ditch Rts WITHHELD)</u>

b.) C/O INDICATES CHANGE OF 29-4157 FROM KELLY (ORIGINAL CLAIMANT) TO HARDCASTLE (NEWEST BUYER).
WITH CHAIN OF TITLE THIS IS ACCEPTABLE.

Q's: c.) WHAT'S DISTURBING ABOUT THIS TRANSACTION IS THE WITHHOLDING OF THE CUTLER DITCH Rts.

SEE Jim & Ken ANDRUS.
29-13401
29-13399
1.) WHAT DOES MID OHIO SEC. WANT WITH THEM?
(FIRST WITHHOLDING BY DEED) $\Rightarrow$ NO KNOWN CLAIM/TRANS.

2.) IS 29-4157 ATTEMPTING TO REPRESENT A CUTLER DITCH RIGHT ASSERTING AN ACCOMPLISHED TRANSFER (42-1426) $\Rightarrow$ C#2, C#3? DON'T THINK SO.

NO! $\leftarrow$ 3.) ARE THERE EVEN CUTLER DITCH RIGHTS TO PONDOR?
YES, BUT NOT WITH THIS CLAIM.

NO DELIVERY $\leftarrow$ 4.) WHAT ABOUT WM DELIVERY TO 29-4157 AND/OR $\pm$ CUTLER DITCH RIGHTS? IF SO, $Q = \underline{\hspace{1cm}}$?
SEE THEORETICAL CASE, NEXT PG.

② EVIDENCE OF PRIORITY IS ACCEPTABLE AS APPROPRIATE.

③ REFERENCES: 1.c.1.) ABOVE. MID OHIO SECURITIES SOLD THEIR PORTION OF CUTLER DITCH Rts TO KEN ANDRUS, WHO HAS PROVIDED DOCUMENTATION OF THAT TRANSACTION.

1.c.2.): 29-4157 CANNOT REPRESENT ANY PORTION OF ANY CUTLER DITCH Rts.

1.c.3.): NO!

1.c.4.): NO, WM DELIVERY.

29-4157

THEORETICAL OF Pump to MAIN LINE / MANOLINE
FOR TOLSON w/ Ken Anomus 9/23/02.

3- $\frac{1}{4}$ in LINES (32 nozzles/ea) 96 nozzles
@ 60 psi w/ $\frac{5}{32}$ in nozzles

Per FOWR GPM Chart

@ 60 psi w/ $\frac{5}{32}$ in nozzles = 5.65 gpm

$$\frac{542 \pm \text{ gpm}}{448 \frac{\text{gpm}}{\text{cfs}}} = 1.21 \text{ cfs}$$

However, Per ⁴²⁻²²⁰ §42-202 IC, MAX/AC = 0.02 cfs

ACCRUING calc. is ~~42~~ _(NOE) $\therefore$ ~~42~~ $\times$ 0.02 = ~~0.84~~ _{.88} cfs
RECOMMENDED