

Bird, Cindy

From: McHugh, Candice
Sent: Friday, July 01, 2005 11:12 AM
To: Peppersack, Jeff
Cc: Bird, Cindy; Carlsen, Ernie
Subject: RE: 27-11269 and 27-11280

Let's just make a note in the notes section about the nature of the ownership of the water right and not use any remark/condition so we are consistent.

I suggest just noting that Bear Lake Grazing owns the water right but does not own the underlying property . . . see Deed dated _____ from Bear Lake to Alumet.

Candice

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

From: Peppersack, Jeff
Sent: Thursday, June 30, 2005 5:04 PM
To: McHugh, Candice
Cc: Bird, Cindy; Carlsen, Ernie
Subject: RE: 27-11269 and 27-11280

We don't have a standard condition or remark. I don't know of a case where we've applied any condition in similar circumstances.

Jeff

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

From: McHugh, Candice
Sent: Thursday, June 30, 2005 3:40 PM
To: Bird, Cindy
Cc: Carlsen, Ernie; Peppersack, Jeff
Subject: 27-11269 and 27-11280

Bear Lake owns the water rights even though they don't own the underlying property; nothing appears to prove the contrary and Alumet's (sp?) sale to Simplot shouldn't alter that. We should note on the water right (in explanatory conditions) that Bear Lake owns the water right even though they do not own the underlying property but are using the property pursuant to a lease. I'm wondering if we already have a "condition or remark" that addresses this special situation? I'm ccing' Jeff Peppersack for his input on that.

Candice

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