

Bird, Cindy

From: Bird, Cindy
Sent: Tuesday, November 27, 2001 10:08 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Candice,

I think we will have to consider an enlargement because at the decreed diversion rate allows for 145 irrigated acres. Bill Hatch is claiming 192 irrigated acres and C.V. Cattle is claiming 76 acres, or 268 acres. The decree describes 5 QQ's for the POU. Can it be broken down to 29 acres per QQ? This would allow me to figure out how much each claimant would get and who needs to file what for an enlargement.

Happy Holidays
Cindy

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

From: McHugh, Candice
Sent: Monday, November 19, 2001 8:39 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Cindy --

I had Lorie fax you some info. Looking at the complaint, I would say that Plaintiff has the exclusive right to the well water during those months because from the complaint it appears that that is all the water that the wells were producing. I hope this clarifies.

The decree could be read to give Hatch use of the water in the other months -- what is he claiming? Otherwise, Hatch would have b/u claims that a junior to Hogan's if they are based on the same wells. We would go with the standard SOU for the area for Hatch's claims and would probably add shoulder remarks to Hogan's (Rondo) -- Ernie what do you think? We need to go with inch/acre unless we do a Hubble and we would consider an enlargement. Ernie, your input?

If you have further questions, let me know.

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

From: Bird, Cindy
Sent: Thursday, November 15, 2001 11:54 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: Decree 29-RAW clarification

Good Morning Candice,

I need a clarification on decree 29-RW a ground water decree between Ernest Hogan and R.C. Hatch. Both Bill Hatch and C. V. Cattle (Rondo Perkins) have claimed the water under this decree. The way I've interrupted the decree is that Hogan (Rondo Perkins) has the right to use the water on his property during the months of June, July, August and September from the 5 wells. But it doesn't say that Hatch can't also use the water. Or is this decree for Hogan (Rondo) and Hatch's claims would fall under b/u claims? Because they weren't licensed. What season of use and diversion rate (inch per acre) would be allowed for Hatch? Hatch has also claimed some additional irrigated acres under his claims. Would we allow the expansion?

thanks
cb

11-15-01. Emailed Candice for a clarification on this decree because this decree is also claimed by C. V. Cattle (Hogan).

Can both parties claim these rights? It appears that the decree was for Hogan and not Hatch?

Is the system connected? Yes.

29-486. Total division is 0.56 cts

C.V. Cattle claimed all of the division under A29-486 B, and Bill Hatch claimed 0.56 under A29-10205.

This appears to be unclaimed. Emailed Candice for a clarification of this decree.
11-15-01.