

Merritt, Allen

From: Merritt, Allen
Sent: Wednesday, May 12, 2010 3:29 PM
To: Merritt, Allen; mcc@givenspursley.com; sking@spfwater.com
Cc: Keen, Shelley; Skaggs, Pam
Subject: RE: meyer T75670

Gents,

Thanks for the discussion today.

For your reference, I have scanned the file and attached the scanned images since it is not available on the internet yet. Included are the maps from Scott today with some notes I made. In reviewing these documents further it appears that there are a couple of statements from Andrus in the file that seem to contradict the premise that the land south of the canal was solely irrigated from the well after it was drilled but maybe I'm interpreting the statement wrong.

I will discuss your premise that since there is no language on the decree about the right being supplemental that on its face it should be considered primary. (As you know we disagree on this point since the file and SRBA review records the supplemental nature to some extent). I will also discuss the possibility of considering 104 acres (110.5) out of the 176 as being primary since it is your understanding now that once the well was drilled the NSCC shares were used north of the canal and only well water was used south of the canal. This will need to be documented somehow.

Although water bank rental might be a possibility to make up the difference I'm not certain how fast such a rental can be made. Seems like Meyers could have been on top of this process sooner.

As we agreed, we can talk again next week on Wednesday at 1:00pm.

By copy of this I will involve the state office.

Regards,

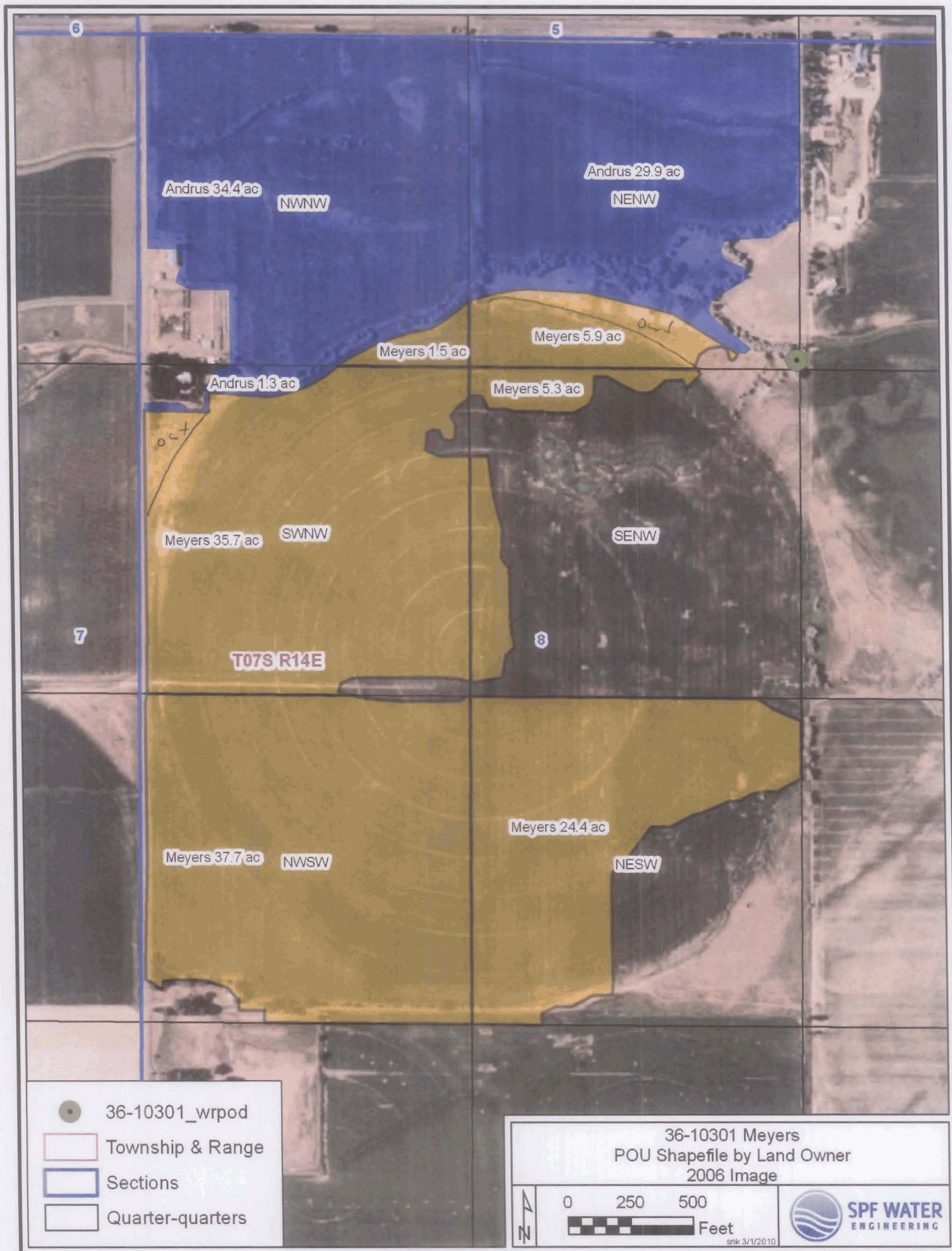


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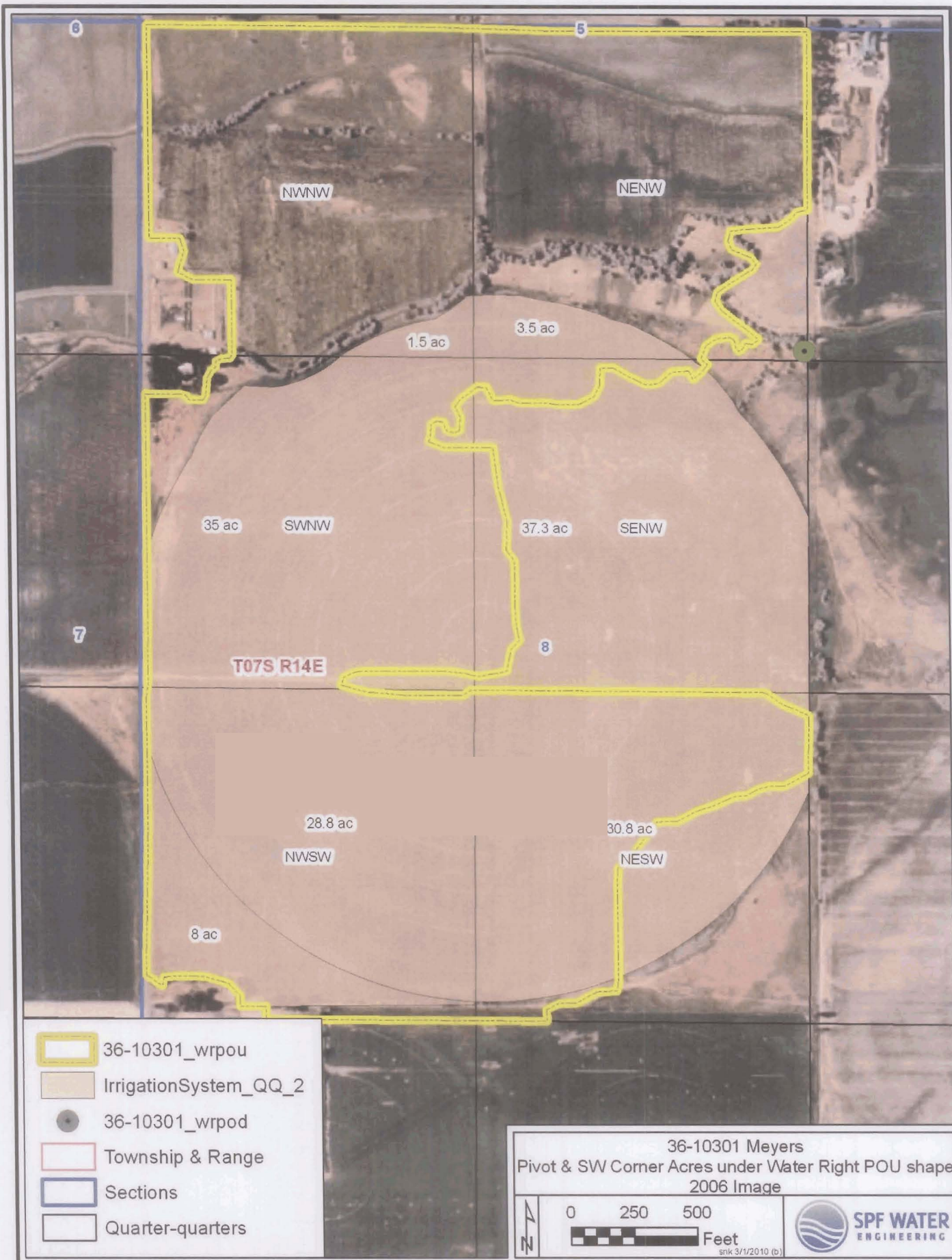
Allen

From: Merritt, Allen
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Subject: meyer

<< File: ScreenHunter_2.bmp >>



Meyers — 110.5
Andrus — 64.3



136.9 - under pivot
 8.0 - SW corner
 Total 144.9 acres

