

Merritt, Allen

From: Burrell, Steve
Sent: Wednesday, May 26, 2004 11:14 AM
To: Luke, Tim; Merritt, Allen
Subject: FW: Update - WD 37 futile call by Kurt Westendorf potential
Categories: Futile Calls

Subject: Update - WD 37 futile call by Kurt Westendorf potential
Entry Type: Phone call
Company: Kevin Lakey

Start: Wed 05/26/2004 9.00 AM
End: Wed 05/26/2004 9.30 AM
Duration: 30 minutes

Contacts: WD37
Categories: Futile Calls

Kevin talked with Mr. Westendorf this morning. Westendorf indicated he wouldn't make a call for his natural flow rights from the Big Wood River when Magic Reservoir's outlet will be shut off from May 27 through June 7. Milner storage drafts were shut off yesterday and will resume June 5 for American Falls supplemental water and BWCC. Westendorf has AFSW shares. Westendorf asked Kevin if he could get an extension on his natural flow rights for after the irrigation season to make up for this shutdown period. I verified to Kevin that this shouldn't be allowed. Westendorf is so far the only water user affected by the shutoff of Milner and Magic Reservoir that has indicated he still could use his natural flow during this time. I also relayed to Kevin that some language in the Amendatory Contract between USBR and AF RD #2 of 1954 may make owners of AFSW shares relinquish their right to make calls for rights on the Big and Little Wood, and Magic Reservoir, but more research needs to be done to confirm this.

Stanton, Jim

From: Merritt, Allen
Sent: Wednesday, May 26, 2004 11:41 AM
To: Clelland, Steve; Jones, Doug; Skinner, Corey; Stanton, Jim
Subject: FW: Update - WD 37 futile call by Kurt Westendorf potential
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FYI

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

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5/27/2004