

INTEROFFICE MEMORANDUM

TO: Lee Sim, Director of Distribution
FROM: Mark Page, Price Area Engineer
DATE: August 27, 1990
RE: 91-Area Proposed Determination
Bill B. Jones Protest
Paragraph #5

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I have reviewed the protest filed by Phillip V. Christensen in behalf of John B. Jones (now Bill B. Jones) concerning the Price River Adjudication. In paragraph #5, it alleges that Mae Nicolodemas (91-3622), and Tom Biggs (91-2983), should not have a water right in this ditch. However, we have claims to represent their right and they are part of the Morse Decree First Class Right, with an 1874 priority. This is equal to the priority which Mr. Jones (91-2991) also enjoys. There are a total of fifteen different water rights that have been adjudicated, and use the same diversion as Mr. Jones.

Therefore, concerning Mrs. Jones recent letter, I believe that we are distributing the water as it should be, and according to the Morse Decree. If Mr. Jones continues to take exception to this, he should proceed with a civil suit, which would draw the matter into court for a resolution. This would probably be more timely than waiting for the adjudication to be completed.

If you have any further questions concerning this matter, please feel free to contact me. I would also appreciate receiving a copy of the letter you recently received from the Jones'.