

February 16, 1962

*File Cont.
Ogden*

MEMORANDUM

TO: Wayne B. Griddle

FROM: Donald C. Horseth

SUBJECT: Ogden River Distribution Assessments

**Re: OGDEN RIVER DISTRIBUTION SYSTEM
MINNESOTA IRRIGATION COMPANY AND
LYNNE IRRIGATION COMPANY.**

Reference is made to their letters received in this office dated February 2, 1962 protesting any assessment to them which would include the assessment of the Ogden River Committee of which they are not a part. They also submitted a protest verbally at the water users' annual meeting.

I do not believe that we should assess these two companies for this expense as they are not represented by the committee, but should have Frank deduct the committee's expenses from the budget in figuring the rate to be assessed against these two companies as a separate item than the rest of the system should pay the rate called for by the entire budget. We should, perhaps, discuss this at the earliest opportunity prior to the assessment being made on the Ogden River.

DCM/vh

CC: Frank Reese

*D. E. N. to note
& Re. reimbursement
- Noted by W. D. C.*

LYNNE IRRIGATION COMPANY

550 4TH STREET
OGDEN, UTAH

February 2, 1962

The State of Utah
Office of the State Engineer
State Capitol
Salt Lake City, Utah

Attention: Mr. Wayne D. Criddle, State Engineer

Dear Sir:

Assessment from your office to the Lynne Irrigation Company in and for the season of 1961 was to be based upon a budget of cost for water distribution upon the Ogden River, and now similarly for the year 1962. But this annual budget, over and above the actual costs of water distribution, now includes the additional item of expenses belonging to an organization of water users entitled "The Ogden River Water Rights Association" of which the Lynne Irrigation Company is not a member.

The Lynne Irrigation Company as a water user on the Ogden River recognizes obligations to that annual budget covering the cost of water distribution, but its Board of Directors hereby point out that the Lynne Irrigation Company is not liable nor obligated for that part of the annual budget each year inserted and included as expense from The Ogden River Water Rights Association. Such expense is not a cost in water distribution.

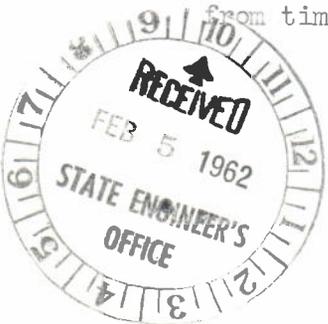
Therefore, in protest, it would be greatly appreciated to have listed in future assessment notices to the Lynne Irrigation Company the amount by which each annual assessment would be effected with the expenses of the Ogden River Water Rights Association, and since an assessment for water distribution to any Ogden River user of water must come through your office, and the assessment is determined accordingly from the annual budget of cost of water distribution, we, the Board of Directors of the Lynne Irrigation Company petition and request your office to relinquish and relieve us, the Company, now and henceforth, of any part or portion of an assessment which may accrue from that part of the annual budget derived from expenses of the Ogden River Water Rights Association. The part of the budget so derived for this year, 1962, is \$870.00.

Notwithstanding the facts of the foregoing, we trust that you expect from the Lynne Irrigation Company the best possible cooperation in making water distribution easier, more efficient, and yet of least complexity and expense from time to time.

Very truly yours,

LYNNE IRRIGATION COMPANY

Harvey H. Stone
Harvey H. Stone, President



Bertinoti Irrig. Co.
301 West 2nd. Street,
Ogden, Utah
Feb. 2, 1962.

STATE OF UTAH
OFFICE OF THE STATE ENGINEER
Salt Lake City, Utah

Wayne D. Criddle
State Engineer

Dear Sir:

Apparently the organization recently formed by some of the Ogden River water users, entitled "The Ogden River Water Rights Association", receives its revenue by means of the annual assessment through your office. The Bertinoti Irrigation Company has not subscribed to said organization, is not a member of it, and so also declines to pay as a participant.

In protest, therefore, please, now and henceforth, relinquish and relieve The Bertinoti Irrigation Company, a user of Ogden River water, of that part of the annual assessment which bears to that part or item of expenses of the Ogden River Water Rights Association, as said expenses be listed and included in the annual budget of cost of water distribution on the Ogden River.

Since the expenses of The Ogden River Water Rights Association is not a cost of water distribution, it would be greatly appreciated to have listed, in future assessment notices to The Bertinoti Irrigation Company, the amount by which each annual assessment would be effected with the expenses of The Ogden River Water Rights Association.

Please acknowledge that the Bertinoti Irrigation Company is independent of The Ogden River Water Rights Association; therefore please send our separate and appropriate announcement of your regular annual meeting with the Ogden River water users held just after the first of January each year.

Very truly yours,

George M. Mildon Pres.
George M. Mildon

