(a) MEADOWVILLE PROBLEM - BOB FOTHERINGHAM.

(1) He talked with Theron today (T. Weston). Theron is aware of the Memorandum so it must have come out of a court ~~case~~ action. He agrees that in high water years they don't need any Jebo Creek Water and really can't fit it in the Tuft Cr. Ditch. But he says the stipulation that goes along with it says that in a dry year the State Engineer can advance the ~~[illegible]~~ date when the system goes on time. Bob agrees it says that but no mention in Red Book of any rights for Westons before May 15 and no mention of advancing date when it goes on time. Our office may have made a mistake in interpretation when we did the Red Book. Can we put the system on time now? ~~[illegible]~~ Bob will ask John Maybe

(2) Bob thinks the real issue is that Cooks are planning to pipe Jebo Creek to sprinkle with it. If they do it will really reduce the return flow and Weston's won't get the water they should - especially in a low water year. Bob suggested we write a distribution order or policy banning any pipelines in the Meadowville system because the lower users are all dependent to some extent on return flow from upper users. ~~[illegible]~~ S.E. should probably sign it - talk to Bob M.

(b) ALLEN ROWE - DIST. ACCOUNTING PROGRAM
TO GET ON. HELLO MGR. OSYS (return).
DS - ACCT. PROGRAM
LISTF - all files associated w/ program
In DS use either function key or enter - not return.
to get off BYE.

(c) MRS. KELLY NESI (266-6185) - shareholder in Beaver & Shingle Creek Irrig. Co.. They have an exchange agreement but haven't been able to get their well drilled. Do they still have to pay the exchange assessment? Send out from Blaine Johnson and then let her know. If she doesn't we should eliminate her assessment for this year (the $5).

(e) John Maybe - MEADOWVILLE PROBLEM.

(1) He feels the distribution is really messed up and there are too many loose ends to give a firm answer on how the water should be distributed legally. ~~[illegible]~~ Distribution comments should never have been put in the Proposed Determination.

(2) Feels the distribution schedule probably needs to be clarified by a memo from our office. If either side does not like the decision in the memo they can take it to court.

(3) The idea to disallow the installation of any pipe ~~[illegible]~~ in the Meadowville System by a policy memo is probably a good one and the State Engineer has the authority to do that.

(f) Susan ill tonight - I don't know why that angers me so much - I guess because she has been so grouchy all week and now that she is sick she wants to be taken care of. There is so much ~~[illegible]~~ to do and so many pressures I am upset to have to stop and take over for her too. I don't remember being this angry for a long time - I should try to get through it but I just don't want to - feeling sorry for myself I guess. I fixed dinner and put the kids to bed.

(a)(2) reached with the irrigation company and also a measuring device should probably be required above the reservoir to ease this problem.

(b) UPPER BEAR RIVER – MEADOWVILLE.
(1) Met with Del Cook, Grant Lamborne, Theron Weston, and Frank Weston at different times through the afternoon.
(2) Grant Lamborne says he was told by the previous owner (Ray Cook) that he had a right (or by ~~[illegible]~~ accepted practise) to divert all of Meadowville Creek (by a tight dam) until the water went on time either May 18 or June 1. He diverts the water into the Meadowville canal but dams it up by the knoll. After it goes on time then he takes the dam out near the knoll and Weston and others downstream then have opportunity to use it. He said he had put a tight dam on Meadowville Creek every year ~~[illegible]~~ since he had had been on the land – he thought about 15 years (maybe 13). He said the agreement was that Westons got all of Tuft Creek and Cooks got all of Jebo Creek until the water went on time.
(3) Del Cook (with Grant Lamborne) showed us a written stipulation concerning the measurement of the water to determine when the water should go on time (turns), and also a schedule which showed the time and turns of each water user from the ~~[illegible]~~ start (May 18 or June 1) to June 30. He also claimed there was another written stipulation describing what Grant explained to us but no one had a copy of it. He took us to see Tuft Creek and the ditch from Jebo over to Tuft. Measuring device on Tuft had been washed around – inoperative.
(4) Forgot to mention above we walked to diversion ~~[illegible]~~ tight dam on Meadow Creek – and then to dam near the knolls. There has been a lot of washing during floods of last few years so the measuring device on Meadow Creek (flume) just below the tight dam is inoperative. ~~and~~ There was flume

(a) ALLEN DOWE – DISTRIBUTION ASSESSMENTS – BEAVER RIVER
(1) need to call Jeff Joseph (Sec). about the addresses on accounts 183, 42, and 171 (see his letter).
(2) Send all other assessments but hold those three till addresses are corrected.

(b) BILL SCHLOTHAUER – VERIFYING WUCs IN NEW BOOKS.
(1) On all the proposed determinations which were done on the computer – we should have the area office go through each claim and put initials down in the blank showing verification. Initials of person who did work.
(2) From now on – we should verify them as the books are completed ready for printing.

(c) MEETING ON MEADOWVILLE PROBLEM (COOK RESERVOIR).
(1) BOB FOTHERINGHAM, DAMONT JUDD (ATTORNEY) FRANK WESTON (& WIFE) AND THERON WESTON.
(2) Attorney contends the state engineer approved change order for reservoir after judge declared that reservoir is illegal (see meeting notes). Wants S.E. to stop Cooks from filling reservoir. Also period of use and priority have changed over the years from original approval. Why?
(3) Conditions in original adjudication were changed for Westons in new adjudication but not for anyone else – why? New adjud. (red book) seems to follow the priority schedule prepared by someone (who?) in 1958 and not the previous adjudication.
(4) Questions to be answered in addition to above:
• How was priority schedule derived?
• What is the status of the red book in area 23 (if it has been signed by a judge – interlocutory decree – does it then supersede judge previous order?)
• Does the S.E. have authority to approve a change order at a later date even though the judge said the reservoir was illegal at one time.
• How do the administrative rules apply to people who come into the office and make inquiries (unwritten) concerning water rights matters? How quickly do we have to respond to them?
(5) Meet with them at Reservoir May 18 at 8:00 AM.

• Commitments Exchanged
• Journal Entry
• Thoughts & Ideas
• Agendas (telephone, meetings)
• Conversations

APRIL 1988

DAILY RECORD OF EVENTS

28
THURSDAY
119th Day 247 Left
Week 17

(a) Susan really feeling down lately - not feeling much self-worth she says. She seems to be quite depressed about not being able to have any more children - especially since a lot of family and friends are having children ~~now~~ right now. Also she feels down about not having completed her college education or not having (she feels) any marketable skills.

(b) ~~4M SAW SHARPENING SERVICE 250 W PAGES LANE 292-4524~~ out of business

(c) MTG w/ John M & Bob F. - MEADOWVILLE
① There is an interlocutory decree in 1953 on the Manila Book which includes 2 stipulations. The stipulations appear to be the basis for some of ~~the~~ what was included later in the revised proposed determination (Red Book). There is a 1956 memorandum covering the fact that Weston's have no water in Jebo Creek before May 18 but we can't ~~[illegible]~~ find any official decree or order on the memo - though it also appears to be included in the Red Book. There is a 1956 Interlocutory Decree which we don't have yet which might shed some more light. The Revised Prop. Det. (7 books including Red) are covered by a final decree in 1969. The proposed det. (7) were signed by Lambert - sometime after 1965.
② ~~[illegible]~~ We will stand behind Red Book as the final word right now. John will review documents then call Weston's attorney - see if he will ask Weston's to wait on taking water on May 2 from Jebo.

(d) (4-22)d Talked with John Maybe - probably best to have them protest the book. Left a message for Gary Bail to call me.

(e) BERT PAGE - BUILDING WALLS
① Courtney Larsen 538-6330 can tell me if DFCM approval is necessary.
② DAW INC. built wall in drafting room to create 266-6563 Paul's & Claud's offices. Cost ≈ $1500.
③ Herman Miller Walls (prefab - divided old Library) through Hendrickson Butler Co. - 363-5881 talk to Megan Howe
④ Purchasing Rules for Herman Miller Walls - if cost is over $200 it has to be on contract through Purchasing. Talk to Lois Weisman

• Commitments Exchanged
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MONTH _____ YEAR _____

DAILY RECORD OF EVENTS

SAMPLE FORM

_____
DATE

on Meadowville Canal just below the diversion but it had been pulled out a year or so ago when Grant said that Theron Weston was cleaning the ditch.

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