

Memorandum

Date: December 3, 2001

From: Craig L. Saxton

Subject: Split history of 29-00443

Acreage Issue:

In the 60's and 70's the Anderson family started selling off property that was originally covered by an 1887 Tanny right. When the Andersons started selling off the property under the Tanny right they deeded ½ inch of water to 5-acre tracks they were selling. According to Dwain Anderson, the intention was to move the 1887 Tanny right and start using it on the Hopper ground to the West of the original POU.

Within the original Tanny POU, I estimated 49 irrigatable acres.

1972 aerial photography shows the Andersons irrigating a 14.6-acre field.

In 1988 Anderson sold a major portion of the irrigated land to Skoog. This note is important because 2 to 3 years before this sale, the Andersons stopped irrigating a field high on the bench and started irrigating down lower around the current POU. 1985 USGS Orthoquad maps indicated irrigation at that time.

Note: The property that was owned by Skoog was still irrigated from the old ditch with the gravity feed system until sold to Skoog and he put in his own pump. Original claim by Anderson included the property sold to Skoog.

1987 NAPP shows 12.7 acres of irrigation being recommended. This leaves 1.9 acres unaccounted for.

With this information, we can conclude that there was an accomplished change in POU and POD prior to 1987. Irrigated acres do not exceed acreage irrigated in 1972.

Entire Split Results:

Sum of split recommendation acres is 44 acres.

The result of this is that the sum of the acreage and diversion rate being recommended under the Tanny right 29-00443, is less than that decreed. Thus, no enlargement of the right.

Noel Anderson (29-13266):

None of the following show signs of irrigation on the property now owned by Noel Anderson: 1987 NAPP, 1985 USGS Orthoquad, 1972 aerial photography, 1992 Terraserver aerial photos. Cannot recommend as irrigated POU.