

Memo to File: 78-12372

From: Carter Fritschle

Date: 11/9/2011

RE: 78-12372 and Overlapping Rights 78-183, 78-184, 78-10071, 78-10215 and 78-12349

The place of use recommended for 78-12372 was previously included in the recommendations for SRBA claims 78-183, 78-184, 78-10071, 78-10215 and 78-12349. However, those rights have not been used on the 14.9 acres owned by Jon Moore, and recommended as the place of use for 78-12372 since 1991. Jon's mother, Margarete Moore, sold the balance of the place of use claimed and recommended for SRBA claims 78-183, 78-184, 78-10071, 78-10215 and 78-12349 to Jack and Arlene Hubbard in 1991.

Jon Moore decided not to pursue a change in ownership which would have resulted in splitting water rights 78-183, 78-184, 78-10071, 78-10215 and 78-12349 in favor of filing the late claim 78-12372. It should be noted that none of the points of diversion recommended and decreed for the waste water right 78-10215 can currently be used to irrigate the recommended place of use for claim 78-12372. Also, the waste water claimed and recommended for 78-12372 is tributary to Goose Creek, while the waste water claimed and recommended for 78-10215 is tributary to Little Creek.