

MEMO

TO: Water Right Files

FROM: James Cefalo

DATE: January 27, 2016

RE: Division of Water Rights 32-7057E, 32-7072B, 32-7094E, 32-2120A, 32-2120B and 32-7022AF

On January 25, 2017, Paul and Katie Larsen filed a Notice of Change in Water Right Ownership, seeking to update ownership records for seven water rights. The water rights are currently in the name of Chad Larsen. According to the deed provided with the notice, Paul and Katie Larsen purchased the NW ¼ of Section 10, T09N, R34E, from Chad Larsen in December 2016. The Notice was hand delivered by Mitch Tarpley, who is the farm manager for both Chad Larsen and Paul & Katie Larsen.

The NW ¼ of Section 10 encompasses the entire place of use for water right 32-13239 (61 acres). It also encompasses a portion of the place of use for six other water rights (32-7057E, 32-7072B, 32-7094E, 32-2120A, 32-2120B and 32-7022AF). These six rights in combination with water right 32-7034E authorize the irrigation of 188.1 acres in the NW ¼ and SW ¼ of Section 10. 61.9 acres of the 188.1-acre place of use are located in the NW ¼ of Section 10.

The combined water rights (188.1 acres) are somewhat complicated because the place of use for water right 32-7034E only includes the SW ¼ of Section 10. Water rights 32-7057E, 32-7072B, 32-7094E, 32-2120A, 32-2120B and 32-7022AF authorize the irrigation of 177.4 acres within a 188.1-acre place of use. Water right 32-7034E was a junior priority license, intended to fill in the difference between the authorized acres (177.4) and the total place of use acres (188.1).

In total, all of the water rights listed above currently describe 122.9 acres in the NW ¼ of Section 10. Mitch Tarpley explained that Paul and Katie Larsen should end up with 122.9 irrigated acres. To accomplish this, the Department must base the water right split for the six combined rights on authorized acres, rather than permissible place of use acres.

Paul and Katie Larsen are the owners of all of water right 13239 (61 acres). They are also the owners of 61.9 of the 177.4 acres authorized by the six other water rights in the NW ¼ of Section 10. Together, these add up to 122.9 acres (the total number of acres currently listed on the water rights in the NW ¼ of Section 10).

Chad Larsen (SW ¼ of Section 10) owns the remaining 115.5 of the six water rights, but also owns all of water right 32-7034E (10.8 acres), bringing his total to 126.3 acres. (There is a 0.1 acre discrepancy in the water right totals – possibly the result of a pre-adjudication transfer error.) The water rights currently authorize the irrigation of 126.2 acres in the SW ¼ of Section 10. Therefore, the resulting splits will maintain the current distribution of water right acres across the two properties.

All of the water rights list two points of diversion a well in the NWNW of Section 10 and a well in the SENW of Section 10. After the ownership change, the well in the NWNW of Section 10 will only serve the Paul & Katie Larsen POU. The well in the SENW will only serve the Chad Larsen POU. In a letter filed with the ownership change, Mitch Tarpley requested that the extra points of diversion be dropped from the respective water rights to reflect the actual irrigation systems after the ownership split.

Existing Water Rights

<u>Right No.</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
32-2120A	0.44	77.0	22.0
32-2120B	0.74	129.9	37.1
32-7022AF	0.56	136.5	39.0
32-7057E	0.04		4.0
32-7072B	1.51	263.8	75.4
32-7094E	0.03	11.9	4.0
Combined	3.32	621.0	177.4

Paul & Katie Larsen Portion

<u>Right No.</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
32-13354	0.15	26.9	7.7
32-13355	0.26	45.3	12.9
32-13356	0.20	47.6	13.6
32-13357	0.01	0.0	1.4
32-13358	0.53	92.0	26.3
32-13359	0.01	4.2	1.4
Combined	1.16	216.7	61.9

61.9 acres / 177.4 acres

Chad Larsen Portion

<u>Right No.</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
32-2120A	0.29	50.1	14.3
32-2120B	0.48	84.6	24.2
32-7022AF	0.36	88.9	25.4
32-7057E	0.03	0.0	2.6
32-7072B	0.98	171.8	49.1
32-7094E	0.02	7.7	2.6
Combined	2.16	404.3	115.5

115.5 acres / 177.4 acres