

MEMO

TO: Water Right 01-10443

CC: Water Right 45-11969

FROM: Cherie Palmer

DATE: March 6, 2015

RE: WSB-Rental of this right not authorized without stacked water right 45-11969

Even though water right 01-10443, a surface water right, is stacked with 45-11969, a ground water right, the ground water right is senior and therefore not supplemental in any manner to the surface water right.

Therefore, water right 45-11969 can be rented as a primary ground water right.

There's an existing rental agreement involving water right 45-11969 that doesn't take a piece of 01-10443. It's not critical that a piece of the surface water is rented with the ground water right since the ground water is primary but, it can cause confusion when the public is looking to rent 01-10443 because our database showing it available for rental.

This memo is meant to clarify that water right 01-10443 is not available to rent unless a piece of water right 45-11969 is also rented.