
Memorandum

Date: July 22, 2014

From: Craig L. Saxton

Re: Change of Ownership for 73-12121 and 73-4033B

The purpose of this memo is to provide background in relation to the Notice of Change in Water Right Ownership form submitted on July 17, 2014, in connection with 73-12121 and 73-4033B.

73-12121 was partially decreed on 6-9-2009. However, an error in the partial decree was discovered and a motion to set aside the PD was granted to allow for the error correction. The error was in how the parent right 73-7003 was originally split by change of ownership.

On 7/18/2014, AJ staff went back and corrected the split records and submitted them as Amended Directors Reports (ADRs) to the court.

Unbeknown to the SO staff, on July 17, 2014, Eastern received the NCO for 73-12121 and 73-7033B, along with the associated filing fees of \$125. The intent of the C/O was to split 73-7033B (\$100) and change ownership entirely on 73-12121 (\$25).

Review of the deed indicates that 73-12121 should be split as well.

I spoke with Carter, and because an ADR for 73-12121 (which will correct a "splitting" error) is pending at the court, it would only confuse the issue to send an NCAP to split 73-12121 yet again. The SRBA court intends to wrap up as many SRBA subcases as possible by August 25, 2014. The best course of action would be to wait to process the July 17, 2014 NCO, and let the court issue the PD for 73-12121. After the PD is issued, the Department can process the NCO. Because the NCO was submitted prior to the 2nd Partial decree being issued for 73-12121, no additional filing fees should be charged to split 73-12121 despite that the NCO will be processed after the partial decree for 73-12121 is issued.