

FROM: Allen Merritt

DATE: January 8, 1998

TO: Transfer File No. 5147

Water Right(s): 45-00163A ...> A45-12447
45-00163B ...> A45-12447
45-00700 ...> A45-12447
45-00703 ...> A45-00703
45-00164 ...> A45-12444
45-00698 ...> A45-12444
45-04013B ...> A45-04013B
A45-12450 ...> 45-04024
45-04025
45-04009 Part

In the Name of: Elquist Ranches

TO: Transfer File No. 5300

Water Rights(s): 45-04013B ...> A45-04013B
45-04009 Part ...> A45-12450
45-04024> A45-12450
45-04025> A45-12450

In the Name of Lambert Produce Inc. & Elquist Ranches

SUBJECT: Review and Recommendation

Transfer #5147 proposes to change the place of use of lands due to a sale of land for a feedlot. In doing so it creates a PPU and corrects the description of points of diversion and covers land that has been developed under pivots that have not had a water right. See Jim Stanton's memo for further discussion. Transfer #5147 was processed without protest. It was held up due to competing claims over water right 45-00698. This has been resolved with withdrawal of A45-00698B by Lambert Produce.

The lands involved in modification under transfer #5147 have been involved with recent transfer #5038 which has been approved. Transfer #5038 allowed the drilling of a well to reduce interference with the spring. Transfer #5300 is a re-do of transfer #5038. The well authorized to be drilled pursuant to #5038 was dry so #5300 changes the well sites once again. Transfer #5300 was processed without protest.

RECOMMENDATION

I recommend the transfers be approved subject to the following conditions:

Transfer #5300

-Conditions similar to #5038. This transfer to describe the P/Ds for groundwater rights (Descriptions in #5147 for groundwater to be superseded by #5300).

Transfer #5147

- Surface water to be used to extent possible before groundwater use.
- Subject to SRBA.