MEMORANDUM

Date: May 21, 2009

To: Transfer 75283

From: amerritt

Re: review and approval

Transfers 73711, 75283 and 75290 as well as licensing of 36-8475 are being approved simultaneously to straighten out the KECO Farm now owned by Western Mortgage and Realty Co. that was purchased from the Young and Young family holdings. The KEKO farm is served by 29 wells. These wells also serve 5 potential dairy sites and isolated tracts of BLM and BOR land. The KECO farm is being redefined to include some lands once owned by Commons that has been interconnected with the Young and Young system. The following conditions describe the total rights:

Rights 36-16454, 36-16456, 36-2058B, 36-2058C, 36-2058D, 36-2075B, 36-2075D, 36-2075E, 36-2075F, 36-2191, 36-2193, 36-2233D, 36-2233G, 36-2410B, 36-2410C, 36-2410D, 36-2454B, 36-2653Q, 36-7007B, 36-7021A, 36-7021C, 36-7391, 36-7580B, 36-7580C, 36-8068B, 36-8068E, 36-8068F, 36-8069Q, 36-8274A, 36-8274B, 36-8275B, 36-8778, 36-11290, 36-15366B, 36-15366C, 36-15366D, 36-2591, 36-2619, 36-2620, 36-4006, 36-7041, 36-8404, 36-8777, 36-11340, 36-16475, 36-16386, 36-2530A, 36-7795A, 36-15456A, 36-2530B, 36-2653B, 36-7795B, 36-15456B, 36-7580D, 36-8068D, 36-2653N, 36-8069N, 36-2653P, 36-8069P, 36-15567, 36-15613, 36-15615, 36-15617, 36-15619, 36-15621, 36-15623, 36-16582, 36-7611B, 36-7830B, 36-16690, and 36-8475 when combined shall not exceed a total diversion rate of 116.59 cfs, a total annual maximum diversion volume of 33,325.3 acre feet at the field headgate, for the irrigation of 8344.4 acres in a single irrigation season within the 8627.4 acre permissible place of use described above.

Exclusive of the permissible place of use, rights 36-16351, 36-16352, 36-16353, 36-16366, and 36-16387 provide for an additional diversion rate of 5.23 cfs, an additional annual maximum diversion volume of 1922.0 acre feet at the field headgate, and the irrigation of 480.5 additional acres.

Exclusive of the permissible place of use, rights 36-16691, 36-16692, 36-7611A, and 36-7830A irrigate federal lands and provide for an additional diversion rate of 4.46 cfs, an additional annual maximum diversion volume of 1032.8 acre feet at the field headgate, and the irrigation of 258.2 additional acres.

The following rights are diverted through the 29 points of diversion described above: 36-16454, 36-16456, 36-16351, 36-16352, 36-16353, 36-16366, 36-16387, 36-2058B, 36-2058C, 36-2058D, 36-2075B, 36-2075D, 36-2075E, 36-2075F, 36-2191, 36-2193, 36-2233D, 36-2233G, 36-2410B, 36-2410C, 36-2410D, 36-2454B, 36-2653Q, 36-7007B, 36-7021A, 36-7021C, 36-7391, 36-7580B, 36-7580C,

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36-8068B, 36-8068E, 36-8068F, 36-8069Q, 36-8274A, 36-8274B, 36-8275B, 36-8778, 36-11290, 36-15366B, 36-15366C, 36-15366D, 36-2591, 36-2619, 36-2620, 36-4006, 36-7041, 36-8404, 36-8777, 36-11340, 36-16475, 36-16386, 36-2530A, 36-7795A, 36-15456A, 36-2530B, 36-2653B, 36-7795B, 36-15456B, 36-7580D, 36-8068D, 36-2653N, 36-8069N, 36-2653P, 36-8069P, 36-15567, 36-15613, 36-15615, 36-15617, 36-15619, 36-15621, 36-15623, 36-16582, 36-7611B, 36-7830B, 36-16690, 36-16691, 36-16692 and 36-8475; additionally rights 36-7611A and 36-7830A also share the well in the SESWNE S31, T6S, R23E.

Transfer 73711 involves adding 26.7 acres purchased from another farm and moving this water into the KECO PPU of 8627.4 acres. Additionally it involves the 5 dairy future dairy sites and straightens up the location of the sites and the individual water right of each site. Note that transfers 75283 and 75290 were created not as a single transfer but as two since WorkFlow could not handle so many rights and wells all at one time. Transfer 75283 deals with approximately 1/2 of the rights on the KECO farm. The rights chosen are related in that many have combined limits. Transfer 75290 deals with the remaining rights on the KECO farm as well as dealing with the rights on the BLM and BOR tracts and pulling in an enlargement right 36-16582 missed by an earlier transfer of the Commons property. Near final review it was discovered that one BLM tract had two rights 36-7611A and 36-7830A served by one of the 29 wells. These lands are adjacent to the KECO PPU.

It is understood that once these approvals are issued that some water and acres may be moved by future transfers from the Storm Circle farm and Mainline farm also owned by Western Mortgage and Realty Co. to balance out acres actually farmed within the various PPUs of these three farms.