

## MEMORANDUM

**Date:** December 10, 2007  
**To:** Water Right File 67-7376  
**From:** nvandyke  
**Re:** S.O. Review

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Refer to Dan Nelsons field report narrative for details on this water right. After the field exam was completed it became an adjudication recommendation, BLM protested the application because there was some overlap of the water right pou onto BLM ground. The overlap was 2.4 acres in the NENW Sec32 15N 02W and 0.6 acres in the NESE Sec32 15N 02W. It has been removed. Recommended acreage for right is 1824.9 acres.

Field examiner recommended the right be limited to 11.4 cfs and 911.6 acres. Further overlap examination shows that of the 1824.9 acre place of use 1087 acres are covered by other surface rights. Therefore the licensing amendment will recommend 9.4 cfs on 751.8 acres. See overlap analysis dated 12/10/07 in the file for more information. Note that the rate was determined by using 5/8inch per acre instead of the normal full inch per acre as this is standard in the area.

Overlap Analysis Between 67-7376 and All Other Rigths

| WR #          | Status | POD Location                                                | POU Acres   | 67-7376 Acres | Over/Under  | Remarks | Priority | Rate         |
|---------------|--------|-------------------------------------------------------------|-------------|---------------|-------------|---------|----------|--------------|
| 67-32D        | rec    | SESW 16 T15N R02W                                           | 70          | 76            | -6          | }       | 1886     | 0.40         |
| 67-4092A      | rec    | SESW 16 T15N R02W                                           | 70          | 76            | -6          |         | 1962     | 1.00         |
| 67-32C        | rec    | NENE 31 T15N R02W                                           | 73          | 71            | 2           | }       | 1886     | 0.40         |
| 67-4092B      | rec    | NENE 31 T15N R02W                                           | 73          | 71            | 2           |         | 1962     | 1.06         |
| 67-14737      | rec    | NENE 31 T15N R02W                                           | 80          | 75            | 5           | }       | 1884     | 0.07         |
| 67-14738      | rec    | NENE 31 T15N R02W                                           | 80          | 75            | 5           |         | 1952     | 0.56         |
| 67-14739      | rec    | NENE 31 T15N R02W                                           | 80          | 75            | 5           | }       | 1952     | 0.04         |
| 67-34E        | rec    | SESW 16 T15N R02W                                           | 40          | 38            | 2           |         | 1884     | 0.50         |
| 67-14280      | rec    | SESW 16 T15N R02W                                           | 40          | 34            | 6           | }       | 1884     | 0.50         |
| 67-7110 (G)   | right  | SENE 6 T14N R02W                                            | *           | *             | 0           |         | 1972     | 0.04         |
| 67-2214       | right  | NENE 31 T15N R02W                                           | 120         | 117           | 3           | }       | 1952     | 0.90         |
| 67-2371 (G)   | rec    | SWSE 6 T14N R02W                                            | 2.6         | 2.6           | 0           |         | 1966     | 0.06         |
| 67-7204       | rec    | NENE 31 T15N R02W                                           | 4           | 4             | 0           | }       | 1973     | 0.08         |
| 67-32A        | rec    | SWNW 6 T14N R02W                                            | *           | *             | 0           |         | 1886     | 1.00         |
| 67-4523H      | rec    | SWNW 6 T14N R02W                                            | *           | *             | 0           | }       | 1918     | 3.00         |
| 67-2219       | rec    | SESW 16 T15N R02W<br>NWNE 30 T15N R02W<br>NENE 30 T15N R02W | 120         | 120           | 0           |         | 1965     | 2.40         |
| 67-4159       | rec    | NENE 31 T15N R02W                                           | 164.5       | 175           | -10.5       | }       | 1943     | 2.29         |
| 67-37         | rec    | NENE 31 T15N R02W                                           | 164.5       | 175           | -10.5       |         | 1910     | 1.00         |
| 67-14281      | rec    | SESW 16 T15N R02W                                           | 40          | 40            | 0           | }       | 1884     | 0.50         |
| 67-36         | rec    | SESW 16 T15N R02W                                           | 80          | 77            | 3           |         | 1910     | 1.00         |
| 67-2212       | rec    | SESW 16 T15N R02W                                           | 80          | 77            | 3           | }       | 1952     | 0.60         |
| 67-14728**    | rec    | SESW 16 T15N R02W                                           | 27.6        | 27.6          | 0           |         | 1982     | 0.39         |
| 67-658        | rec    | SESW 16 T15N R02W                                           | 225.3       | 215.9         | 9.4         | }       | 1910     | 0.80         |
| 67-497        | rec    | SESW 16 T15N R02W                                           | 225.3       | 215.9         | 9.4         |         | 1904     | 1.20         |
| 67-2213**     | rec    | SESW 16 T15N R02W                                           | 225.3       | 215.9         | 9.4         | }       | 1952     | 3.60         |
| <b>Totals</b> |        |                                                             | <b>1087</b> | <b>1073.1</b> | <b>13.9</b> |         |          | <b>23.00</b> |

SESW 16 T15N R02W represents Cambridge Ditch point of diversion, NENE 31 T15N R02W is the Cove Ditch pod, which appear to be the two major ditches in the local area.

} - denotes combined limits, duplicates not additive

(G) = groundwater source, all others surface.

\* see Combined Limits/Remarks on Overlapping Rights doc.

\*\* 67-14728 is an expansion right of 67-2213, no additional rate. 3.6 cfs total

## Combined Limits/Remarks on Overlapping Rights

AR 67-32D - is limited to 30 acres by itself (total 70), limited to 70 acres when combined with 67-4092A  
AR 67-4092A - when combined with 67-32D cannot exceed 70 acres (same 70)

67-32C - is limited to 30 acres by itself (total 73), limited to 73 when combined with 67-4092B  
67-4092B - when combined with 67-32C cannot exceed 73 acres (same 73)

0.01" over { 67-14737 - limited to 5.5 acres when combined with 67-14739  
67-14738 - limited to 74.5 acres when combined with 67-14739  
67-14739 - limited to same 5.5 acres when combined with 67-14737 (total 80)

67-34E - no limits on recommendation

67-14280 - no limits, 40 acres split between SW and SE match evenly 7376's layout

67-7110 - right does overlap 2 acres worth of irrigation, however this right is also a stockwater and domestic right, not including 2 acres in total acre overlap amount

67-2214 - no limits, overlap in spreadsheet based off total amounts. Unable to determine exact location of pou w/in quarter quarter(s) because ArcView shows general 40 acre tract

67-2371 - no limits, right is a groundwater irrigation use for a small cemetery. 7376 pou overlaps water could be potential applied as well, so including 2.6 acres in total amount

67-7204 - no limits, ArcView shows complete overlap

67-32A; 67-4523H - water diverted from different pod on Weiser River than Cambridge Ditch pod, however water is run into Cambridge Ditch to get to pou. No pou overlap

67-2219 - is limited to 120 acres w/in total 157 acre right. ArcView shows complete overlap with 7376's pou. The full 120 acres is being added to overlap acres.

67-4159 - limited to irrigation of 164.5 acres with 67-37.

67-37 - limited to 80 acres by itself, limited to 164.5 acres in combination with 67-4519.

67-14281 - no limits on right. Is for full 40 acres in quarter quarter. Overlaps with 2214 and 7376.

67-36 - limited to 80 acres when combined with 67-2212. Right is for 80 acres

67-2212 - limited to 80 acres when combined with 67-36. Right is for 80 acres. Almost complete overlap, 7376 pou is 77 acres of the full 80 in these two quarter quarters.

67-14728 - is an enlargement of right 67-2213. The pou for this right exists entirely separate from the pou's of 67-497, 67-658, and 67-2213. This pou directly overlaps 7376. Total combined rate with 67-2213 is 3.6 cfs.

0.018" over  
shown ditch loss  
taken into  
account { 67-2213 - when combined with 67-658 and 67-497 limited to 225.3 acres. Total combined rate with 67-14728 is 3.6 cfs.

67-658 - is limited to 64 acres by itself. Limited to 225.3 when combined with 67-497 and 67-2213.

67-497 - when combined with 67-658 and 67-2213 limited to 225.3 acres. Limited to 96 acres by itself.

OVERLAP ANALYSIS: 67-7376

- 67-7376 place of use  
shown in yellow

67-7376 pod

14737, 14738,  
14739

4159, 37

14728

4092A, 32D

2214, 14280, 34E,  
14281, 7110

2212, 36

497, 658,  
2213

7204

4092B, 32C

2371

N

