

MEMORANDUM

DATE: April 11, 2007

TO: Water Right File 21-13048

FROM: Shelley W. Kean *SWK*

RE: Overlapping Surface Water Right

This morning the applicant's consultant, Chuck Brockway, Jr., called to explain the developer's plan for the Fish Creek right (21-2130) appurtenant to the land where this right will be developed. The right is for only 0.34 cfs on 98.3 acres, and it is a late priority. Consequently, it would not be a sufficient or reliable source of water for irrigation of the subdivision lots.

The developer intends to file an application for transfer to consolidate Right 21-2130 for irrigation of the 20-acre common area in the subdivision.