

MEMORANDUM

To: File 34-4035C

From: Cynthia Bridge Clark

Date: May 16, 2005

Re: Transfer 5400 not recognized in amended partial decree.

Scott King contacted the department regarding 34-4035C. A partial decree was issued on the right in 1998. Transfer 5400 was approved on March 23, 2000 changing the place of use and point of diversion. An amended partial decree changing the season of use was then issued in 2002 that did not recognize the approved transfer. The owners of the water right filed a notice of change in ownership. However, they own the land associated with the place of use recognized by the transfer, but not the land identified on the partial decree. Additionally, the owners would like to put the right in the water supply bank.

I discussed the possibility of updating the water right record to reflect the transfer and decree with Scott King. He said he would inform the owner's attorneys at Givens Pursley of our conversation, and asked that I wait until they have determined how they want to proceed.