

MEMORANDUM

Date: January 04, 2006
To: Transfer 72490
From: kwilson
Re: Overlap review

Guardian Limited Partnership No.2 has submitted four transfers to combine their water rights to cover the acres currently being irrigated into a permissible place of use.

Transfer 72489 for rights 74-373 and 74-374 from Little Sawmill Creek,

Transfer 72490 for rights 74-985, 74-1066A & B, 74-1067, 74-1068, and 74-1800A & B from Hayden Creek,

Transfer 72491 for rights 74-1072 and 74-1073 from East Fork Hayden Creek, and

Transfer 72492 for right 74-1074 from Meadow Creek.

To determine the total irrigated acres provided for these transfers an overlap analysis is required.

Rights 74-985, 74-1066A, 74-1066B, 74-1067, 74-1800A and 74-1800B provided acres to the permissible place of use and do not require additional comments. However; rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 have combined use limits that require further analysis and comments.

Right 74-1072 has no combined use limits but must be included to determine the number of acres within the N1/2SW1/4 Sec 7, T17N, R24E.

The places of use for rights 74-373 & 74-374 and 74-1068 are the same and all three rights are limited in combination to 176.8 acres.

Right 74-1068 also adds 51.7 acres to the place of use for 74-1073 and 74-1074 and in combination these rights are limited to 283.9 acres. The additional 51.7 acres are within Sec 6 SWSE (39.6ac), Sec 7 NWNE (10.8 ac) and Sec 7 SWNE (1.3 ac), all within T17N, R24E. The shared places of use between 74-1068, 74-1073 and 74-1074 includes Sec 6 SESW (38.9 ac) and in Sec 7 the NENW (40.0 ac), the SENW (39.2 ac), and in the NESW (7.0 ac).

NESW Sec 7, T17N, R24E:

Seven (7) acres of 74-1068 are the same acres as 74-374 and the same 7 acres of 74-1073 and 74-1074. Rights 74-1068, 74-374, 74-1073 and 74-1074 would, therefore, provide only 7 acres in the NESW of Sec 7.

Right 74-1072 lists 6 acres within the NESW of Sec 7. Right 74-1072 has no overlap conditions so these 6 acres would be added to the previous 7 acres for a total of 13 acres [7ac + 6ac = 13] irrigated acres within the NESW Sec 7.

NWSW Sec 7, T17N, R24E:

Rights 74-1073 and 74-1074 combine for 4.2 acres in the NWSW Sec 7, and right 74-1072 provides an additional 12.6 acres for a total of 16.8 acres within the NWSW Sec 7.

The acres under all rights involved in these transfers are as follows:

T17N, R23E, Sec 1 (81.9 ac), Sec 12 (80.5 ac)

T17N, R24E, Sec 5 (22.0 ac), Sec 6 (460.3 ac), Sec 7 (192.7 ac), Sec 8 (2.8 ac)

T18N, R24E, Sec 31 (119.6 ac), Sec 32 (76.9 ac)

Total acres for permissible place of use = 1036.7 acres

Overlap review of Water Rights Place of Use with ArcView.

1/3/2006

TWP	RGE	SEC	NE			NW			SW			SE			Water Right Numbers
			NE	NW	SW	NE	NW	SW	NE	NW	SW	NE	NW	SW	
17N	23E	1										25.8		7.1	74-1066B
17N	23E	1										25.8		7.1	81.9

17N	23E	12	22.2									16.2			74-1066A
17N	23E	12	5.6									16.2			74-1073
17N	23E	12	5.6									16.2			74-1074
17N	23E	12	5.6	22.2								16.2			80.5

17N	24E	5						0.3		13	8.7				74-1067
17N	24E	5						0.3		13	8.7				22

17N	24E	6	22.2	38.5	35.8	22.3	1.9	18.2	40	38.1	31.1	32.7	38.9	39.6	74-1066B
17N	24E	6											38.9	39.6	74-1068
17N	24E	6											38.9	39.6	74-0373
17N	24E	6											38.9	39.6	74-0374
17N	24E	6											38.9	39.6	74-1073
17N	24E	6											38.9	39.6	74-1074
17N	24E	6	22.2	38.5	35.8	22.3	1.9	18.2	40	38.1	31.1	32.7	38.9	39.6	460.3

17N	24E	7	27												74-1067
17N	24E	7	10.8	1.3		40			39.2	7					74-1068
17N	24E	7	10.8	1.3											74-0373
17N	24E	7				40			39.2	7					74-0374
17N	24E	7								6	12.6				74-1072
17N	24E	7				40	12	32.6	39.2	7	4.2				74-1073 Same acres
17N	24E	7				40	12	32.6	39.2	7	4.2				74-1074 Same acres
17N	24E	7	27	10.8	1.3	40	12	32.6	39.2	13	16.8				192.7

17N	24E	8					2.8								74-1067
17N	24E	8					2.8								2.8

18N	24E	31										23		38	74-1066B
18N	24E	31			2								3	11	74-0985
18N	24E	31			9.3										74-1800A
18N	24E	31										1.3			74-1800B
18N	24E	31			11.3							23	33.3	38	119.6

18N	24E	32						24	19		25	2			74-0985
18N	24E	32					1.4	5.5							74-1800B
18N	24E	32					1.4	29.5	19		25	2			76.9

Overlapped acres

1036.7 = TOTAL Acres