

## MEMORANDUM

**Date:** January 04, 2006  
**To:** Transfer 72489  
**From:** kwilson  
**Re:** Overlap review

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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

