

Overview of Water Shares for Property 3280

Share 35-7173 Anderson –

This is a share we are currently asking the Utah AG's office to reassign to Section 28 from 29 and put into our name. A mistake was made in the 1930's when the property was re-recorded after a sale, in Ogden Utah, when recording they mislabeled the property as being Section 29. The original Section is 28 and will be reaffirmed by the Utah State AG office before closing (Our attorney is Chris Bramhall with Kirton and McConkie). This is 10-acre ft of water flowing through the Holmes Ferrin Ditch which is an equivalent of 32 shares.

Share 35-7183 Gally/Hansen –

This share pertains to Pasture Springs and is 2-acre ft of water that is designated for irrigation and currently flows into the upper pond.

Share 35-378 Gally/Hansen –

This share services the Property Caretakers home with ½ acre foot of well water, as well as water for 158 head of Livestock. At a conversion of approx. 3.5 head per acre ft of water, amounts to approximately 4-acre ft of water that has been diverted to the irrigation pond.

The Back Pond –

This pond has been used for irrigation and watering of cattle for many years. This pond can be put in your name for irrigation purposes. See below -

We can work with you to fill out the application, but I would need your help in getting affidavits from prior owners and any information they have and you can find showing history. We can also research historic aerial photographs to document the pond and ditches to the degree possible, and prepare mapping showing the pond, ditches and limits of use. Affidavits and some proof of the system existence and use will be critical. If stock is claimed, the state will likely look for historic aerial photographs where they can literally identify that livestock were present, and I've even seen cases where they would count the number of livestock seen (although based on historic photo quality they are usually just a small dot on the photo). At this point in time I'm not sure how much time will be involved but my gut feel is that if we have the information, it would cost on the order of \$2-4,000. We can actually have Celinda do most of the work and I can review it as the engineer. Celinda is not available however for about 2 weeks.

David E. Hansen, Ph.D., P.E.

Principal

I will work with you to the best of my abilities to assist in getting this done. There is no guarantee to the outcome.

Regards,

John Gally