

MEMORANDUM

July 28, 2021

Water Right: 37-8218

Author: Angie Hansen 

Subject: Overlap with 37-2684

During the 2021 curtailment of ground water users in Bs 37, review of several Bs 37 ground water rights was performed in anticipation of filings for Temporary Changes during the drought. This comment is to memorialize the findings of the 6/11/2021 overlap review of water rights 37-2684 and 37-8218. Right 37-8218 has a 58-acre place of use (POU). The POU of ground water right 37-2684 includes the same 58 acres. These two ground water rights have the same single point of diversion (POD). These two rights do not have a combined rate limit, therefore, the total combined diversion rate that may be authorized is 7.8 cfs from the single POD. However, Right 37-8218 includes a condition stating the total rate and volume when combined with all other rights for the 58-acre POU can't exceed 0.02 cfs/ac nor 203 ac-ft (3.5 ac-ft/ac on 58 acres). Both rights authorize 3.5 ac-ft/ac. Right 37-2684 authorizes 6.8 cfs on a 341 acre POU (0.0199 cfs/ac ~ 0.02 cfs/ac). If Right 37-2684 is being used to irrigate the 58-acres, the rate and volume used would first be attributed to the senior right (37-2684). Therefore, if Right 37-2684 is in use, there is no rate or volume available under Right 37-8218.