

MEMORANDUM

TO: Water Right Permit File 74-16213

FROM: Daniel A. Nelson

DATE: April 16, 2020

SUBJECT: Telephone Conversation with Permit Holder

On this date, I spoke with the permit holder to discuss the possible licensing amendment for permit 74-16213. The permit holder stated that they don't need the water from the upper diversion, for a couple of reasons. The first reason is that the property where the upper diversion is located is on property they do not own. Therefore, maintenance would be too difficult during the winter months, and there were concerns if something happened during the winter months on someone else's property.

I agreed to adjust the place of use so the upper edge of the place of use was above the ditch, but I did inform them that I would need to reduce some of the upper place of use that was shown on the permit. The need for the adjustment of the place of use is that a portion of the place of use couldn't be covered by the gravity flow system. I also agreed to maintain the place of use over to the corrals on the east side of the original place of use.

Permit 74-16213 Discussion of a Possible Amendment:

The following map shows the place of use for permit 74-16213 in yellow. Permit 74-16213 is diverted from one of the points of diversion listed on water rights 74-199 and 74-762. The permit requests to authorize 175 cattle to access water through the irrigation ditches and water troughs. The place of use for permit 74-16213 overlaps a portion of the place of use for 74-763, which is diverted from a different point of diversion that is also shared with 74-199 and 74-762. If we were to license this permit without an amendment, we would need to reduce the place of use for the permit to only those lands served by water rights 74-199 and 74-762.

I recommend that the permit holder amend the permit to include both points of diversion, and all of the place of use shown for water rights 74-199, 74-762, and 74-763. If we did this, all of the colored area on the map below would be included in the place of use for permit 74-16213, and both points of diversion would also be included on the permit.

