

MEMORANDUM

DATE: August 30, 2016

TO: Water Right File 63-11874

FROM: Shelley W. Keen *SWK*

RE: Combined diversion rate limit for 63-11874

Rights 63-32649 (1.89 cfs from ground water) and Right 63-32915 (2.14 cfs from Tenmile Creek) have a combined limit of 2.14 cfs. Right 63-32650 (0.11 cfs from ground water) and Right 63-32916 (0.12 cfs from Tenmile Creek) have a combined limit of 0.12 cfs. The sum of the four rights is 2.26 cfs.

In 2006 a transfer authorized Right 63-32232 (0.72 cfs) to be diverted from the same point of diversion as Rights 63-32649 and 63-32650 in the NESE, Section 32, T3N, R1E. We do not know if the capacity of the well was increased to accommodate the diversion rate for Right 63-32232, but we have to assume it was since no combined use limits were placed on the transfer. Therefore, the total possible diversion rate total for the three ground water rights from this point of diversion is 2.72 cfs, and the total combined limit when the two Tenmile Creek rights are added is $2.26 \text{ cfs} + 0.72 \text{ cfs} = 2.98 \text{ cfs}$.

Right 63-32232 shares a second point of diversion in the SWSE, Section 33, T3N, R1E, with Right 63-11831 (0.80 cfs). Those two rights have no combined use limits because Right 63-32232 was transferred to this point of diversion after beneficial use was established under Right 63-11831. Moreover, Right 63-32232 could be diverted from its other point of diversion while Right 63-11831 is diverted from this point of diversion. Therefore, the total authorized diversion rate for the five rights listed above and Right 63-11831, when they are all combined, is $2.98 \text{ cfs} + 0.80 \text{ cfs} = 3.78 \text{ cfs}$.

Right 63-11874 shares the point of diversion in the SWSE, Section 33, T3N, R1E, with Rights 63-11831 and Right 63-32232. As reported in the field examination for Right 63-11874, the capacity of the well is 0.85 cfs. Because Right 63-11831 already accounts for 0.80 cfs from this second point of diversion, only 0.05 cfs is available to add to the combined total. At this point we are at a total of $3.78 \text{ cfs} + 0.05 \text{ cfs} = 3.83 \text{ cfs}$ for the seven combined rights.

However, Right 63-11874 also shares a third point of diversion in the SWSW, Section 33, T3N, R1E, with Right 63-32232. That point of diversion has a capacity of 0.79 cfs. Right 63-11874 could be diverted entirely from this point of diversion while Right 63-32232 is being diverted from the point of diversion in the NESE, Section 32, T3N, R1E, and Right 63-11831 is being diverted from the point of diversion in the SWSE, Section 33, T3N, R1E. Therefore, the full 0.72 cfs for Right 63-11874 can be added to the total for the other six rights (3.78 cfs) to get the total for all seven rights combined, 4.50 cfs, and it is not necessary to add a combined diversion rate condition to the license for Right 63-11874.