

MEMORANDUM

Date: September 04, 2013
To: Water Right File 65-22723
From: Michele Edl
Re: priority date

The file indicates that the priority date of this right should have been advanced as a result of a request for an extension of time. Although the request form was received timely, the fee was not receipted until 3 days later. No explanation for the receipting delay was provided.

To formalize the priority date advancement, an order which summarized the right's processing history and highlighting the logic behind the change should have been issued. There is no evidence that the required order was drafted. Nor is there evidence of analysis demonstrating that an order was unnecessary in this case.

The right is for power, a use that is subordinated to all other uses other than another power use. Because of this secondary status, the priority date on a power right carries significantly less weight when managing and controlling water within a basin.

Lacking documentation which supports the date advancement and recognizing that, in the end, a 3-day adjustment to the date will have little impact to the allocation of water to this use, I am giving the right holder the benefit of the doubt.

Therefore, I am recommending no advancement in priority. I am recommending that the license be issued with a priority date matching the priority date of the permit.