

MEMORANDUM

TO: Water Right Files 35-7192A & 35-9069

FROM: Pam Skaggs 

SUBJECT: Resumption of Use of Water Rights

DATE: 08-28-2012

On July 6, 2007, Paul and Alice Heyrand submitted an Application for Extension of Time to Avoid Forfeiture of a Water Right for Rights 35-7192A & 35-9069. The Department reviewed and approved the application on September 2007 upon the condition that the right holder shall resume beneficial use of water on or before October 31, 2012.

An ownership change was filed & processed on these rights in June 2011 updating the ownership of the rights to Foster Land & Cattle. In January 2012 Luke Marchant as the right holder's attorney filed an Application for Transfer that included these rights. Part of the letter acknowledges that these rights were subject to an Extension to Avoid Forfeiture and that full use of the rights was resumed during the 2010 irrigation season as documented in a field report submitted by the right holder's consultant. The Department reviewed and accepted the resumption as valid through the transfer review.

Although no Resumption of Use form has been received from the right holder, the timely resumption of use is well documented in the water right file and has been accepted by the Department in relation to subsequent administrative actions. No notice will be sent to the right holder to submit the form.