

MEMORANDUM

Date: July 11, 2012
To: Water Right File 37-2599
From: amerritt 
Re: amended transfer approval

The amended approval was issued in response to the petition for reconsideration. The amended approval removes the supplemental conditions for the ground water rights 37-2599, 37-2581, 37-2604, 37-2616 and 37-7758 since these rights historically have been used as the primary or sole source of water for 721.7 acres and are not supplemental to surface water use. The amended approval includes a condition that the 721.7 acres be identified as a subset of acres within the 2028.7 limited acres to be irrigated within a season within the 3345 acre permissible place of use. This condition was added to address concerns that the GW rights would not be enlarged freeing up SW to fill other SW or waste water rights incase this would ever be an issue.

Note that the other ground water rights included in the transfer retain the supplemental conditons requiring that the surface water be used first as originally drafted.