

MEMORANDUM

Date: April 30, 2012

To: File 71-10934

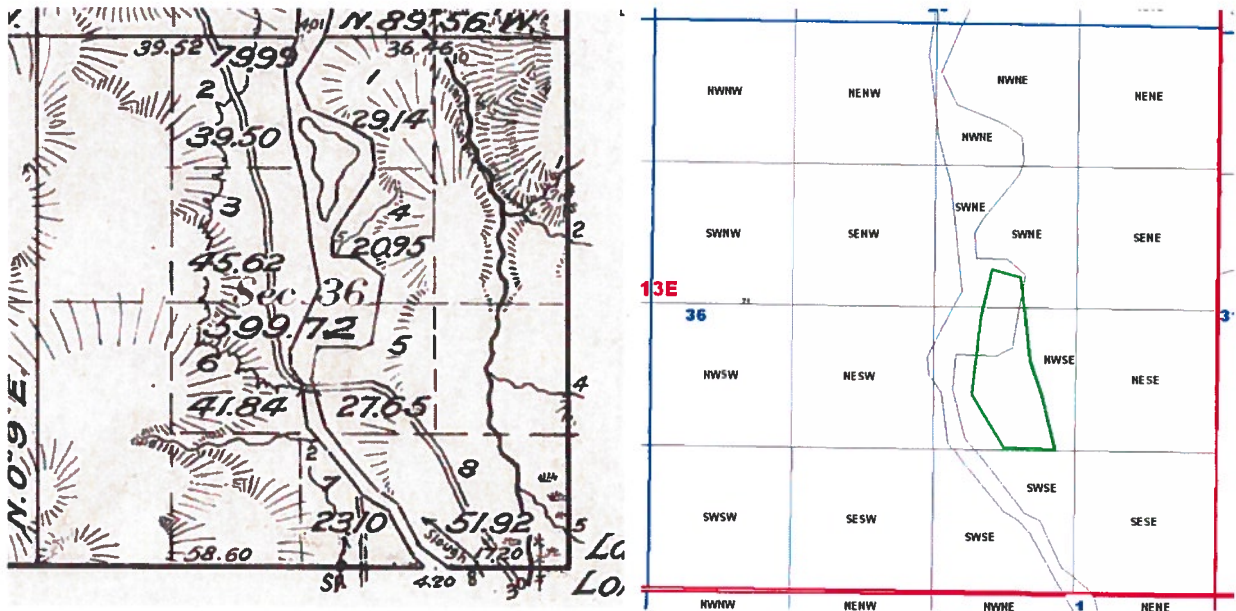
From: Craig L. Saxton

Re: Licensing Review:

POU:

Place of use permitted in: T10N, R13E, S.36, Lot 4 (SWNE)
T10N, R13E, S.36, Lot 5 (NWSE)

However, the SWNE and NWSE only partially contain government lots 4 and 5. Part of the developed POU falls in the SWNE and NWSE but are outside the boundary of the government lots.



The place of use on the license will be recommended to include the non-government lot description:

T10N, R13E, S.36, Lot 4 (SWNE)
T10N, R13E, S.36, SWNE
T10N, R13E, S.36, Lot 5 (NWSE)
T10N, R13E, S.36, NWSE

An amendment will not be required as this is just a clarification of the place of use description that was originally permitted. The place of use was developed as permitted.

Overlap Analysis:

71-2088 (Salmon River), 71-7079 (Salmon River), and 71-10937 (ground water) provide water to the hatchery as well. At any one time these rights authorize use of between 44.1 to 58.8 cfs for fish propagation purposes depending on the time of year.

SOU	# Day's	71-7079		71-2088		71-10937		Total	
		Diversion Rate	Volume	Diversion Rate	Volume	Diversion Rate	Volume	Rate (cfs)	Volume (AF)
6/1 - 6/30	30	28.00	1,666	25.00	1488	5.8	345.1	58.8	3499
7/1 - 9/30	92	20.00	3,650	25.00	4562	5.8	1,058.4	50.8	9270
10/1 - 10/31	31	15.00	923	25.00	1537	9.1	559.5	49.1	3019
11/1 - 4/30	181	35.00	12,565			9.1	3,267.0	44.1	15832
5/1 - 5/31	31	15.00	923	25.00	1537	5.8	356.6	45.8	2816
Total Vol =								34437	

The 2.5 cfs of groundwater permitted under this right is for rate and volume in addition to that already authorized by other rights.

This is a non-consumptive use. Water is used to control temperature by combining with surface water and also to control water quality at certain stages of fry development. Letter from the FWS argues the need for this ground water to be used in addition to that already authorized under other rights. Because this is non-consumptive, the diversion of ground water under this right will actually result in gains in the Salmon River as water is discharged into the river.

Issue license with diversion rate and volume in addition to that already authorized under other rights. No combine use limits.