

MEMORANDUM

Date: February 16, 2012
To: Water Right File 65-22948, 65-22949, 65-22950, 65-22951, 65-22952, 65-22953,
and 65-22954.
From: shemenway
Re: Explanatory Condition

Dana Hofstetter, the attorney representing Mr. Colwell, was concerned with the maximum diversion rate and maximum diversion volume on the license restricting the water in the ditch, causing a water quality problem.

Due to the canal company transporting water through these same unnamed ditches, seepage, and waste water also being discharged to these same ditches, it was agreed on to add a explanatory/clarification condition to the license: "The annual diversion rate and volume identified for this right are the rate and volume of water that can be consumed by the stock. This right shall not otherwise limit the rate and volume of water that flows through the unnamed drain due to natural flows, or diversion by other upstream water users." (see 2/15/2012 email, 65-22948)