

# MEMO

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TO: File 74-7353

FROM: CPadilla

DATE: April 15, 2011

RE: Licensing Review Memo

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**Time Line:**

Application for Permit Received: 3/15/95

Permit Approved: 6/13/95

Proof of Beneficial Use Received: 6/21/96

Field Exam Conducted: 7/16/08

**POU Overlap Analysis:** The field examiner confirmed that there are no overlapping rights at the trough for this right. I also conducted an overlap analysis and came to the same conclusion as the field examiner-no overlapping rights.

**PD Summary:** There are no other rights that are diverted from the PD for this right.

**Volume and Diversion Rate:** No physical or theoretical measurement was made during the field examination yet the field examiner recommended 0.02 cfs instead of the permitted rate of 0.04 cfs. In addition the field examiner didn't include an animal count to determine a volumetric limit. The proof of beneficial use reflects 240 cows so I will base the volume and diversion rate on that. Per the field examiner's handbook 240 cattle, out-of-stream, can have up to 0.05 cfs and 3.2 afa. Since the permit limited the rate to 0.04 cfs, here is my final recommendation:

Stockwater: 0.04 cfs and 2.1

Wildlife: 0.04 cfs and 2.1 afa

Total combined 0.04 cfs and 2.1 afa

Note that the season of use is limited to 245 days.

**Nature of Use:** This right was permitted with stockwater as the beneficial use and wildlife was added in the conditions of approval. At this time we can have both stockwater and wildlife as the beneficial use without enlarging the right since it was identified in the conditions.

**Water District:** Yes, this is within water district 74. Rights subject to water district 74 are described per the department's website: Water District 74 is a tributary of the Salmon River and is composed of the entire Lemhi River drainage basin with the exceptions of Water Districts 74-A,B,C,F,G,J and K.

**Amendment Needed?:** Yes, the nature of use is being changed to add wildlife and the PD and POU have been developed differently than permitted.