

MEMO

TO: File 65-22903
FROM: CPadilla
DATE: July 5, 2011
RE: Licensing Review Memo

Timeline:

Application Received: July 8, 2004
Permit Issued: January 21, 2005
Proof of Beneficial Use: November 23, 2005
Field Examination: October 31, 2006

Point of Diversion: The two PDs are part of the same system. The 8 hp pump is used as a back-up pump and can provide up to 0.51 cfs. The second pump is a 2 hp pump and can provide up to 0.13 cfs according to the field examiner's calculations. The capacity of both pumps can provide the permitted rate with plenty excess rate.

Overlap Analysis of PD:

The 8 hp back-up pump is used by 65-22903 and 65-22904 only. *No overlap conditions apply because the pump is moved as needed by the right holders. ncp*

The 2 hp primary pump was identified as the right holder on the application for permit as the "original" PD. Right 65-23016 was listed as using the same PD according to the field examiner but I wanted to investigate the overlap a little closer since the right holder listed 65-2976B as being diverted from the original PD. Parent right 65-2976 was split into parts A and B. Part A was decreed as having 2 PDs in the SWSE of Section 10 and part B was decreed as having a PD in the SWSE of Sec 10 and one PD in the SWNE of Sec 15. 65-2976B was then split many times (65-23016 through 65-23022) and none of those rights have filed a transfer to change the PD. I conclude that although it appears, on paper, that rights 65-2976A and 65-2976B's children have an overlapping PD; adding overlapping conditions to this license may not depict the real-world scenario correctly. In other words, there is some doubt in what actually what rights are using that 2 hp pump. In addition, there is no benefit to adding an overlap condition to the license since all rights include other PDs and a limit would not apply. Likewise, adding a condition that lists the overlaps for the PD wouldn't add a benefit.

POU: The field examiner found the irrigation of 1.2 acres.

Overlap Analysis of POU: Right 65-23016 partially overlaps the POU for this right. The field examiner calculated the overlap to be 0.75 acres. Right 65-23016 is for the irrigation of 3 acres total at 0.013 cfs/acre. The overlap condition will provide the following:

- a total of 3.5 acres
- diversion rate of 0.02 cfs/acre.

Volume and Diversion Rate: The diversion rate that the field examiner recommended is justified since the conditions limit the diversion rate of 0.02 cfs/acre. The stockwater covers 6 animals and should be limited to the amount found within the field examiners handbook. For 6 cattle, the diversion rate is 0.01 cfs and 0.1 afa is the volume.

Amendment?: None needed.