

MEMO

TO: File 22-7664

FROM: CPadilla

DATE: September 9, 2010

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 2/28/98

Permit Approved: 7/9/90

Proof of Beneficial Use Received: 7/26/90

Field Exam Conducted: 8/16/00

POU Overlap Analysis: NO OVERLAPS

Conditioning

Comment	Water Permit Condition Report
Inactive	049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
Carry over to license	048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
Not used on licenses	046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Inactive—use active R63 0.02 cfs and 3.5 afa	03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

*will add F06 condition to address overlapping PD

*will add combined use condition X35 with 22-7377 → limited to 5.95 cfs and combined volume = $5.95 \times 1.9835 \times 214$ dai

PD Summary

= 2526 af

Tag #	Location	Rights that Use PD	Uses
A0000262	5N 41E Sec 7 SWNE	22-7664 22-7377	Irrigation

Season of Use: Current standard 4/1-10/31

Volume and Diversion Rate: In a memo by Shelley Keen on 11/25/05, he concludes that the license should be based on 227.5 acres, not the 256.6 acres reported by the field examiner. If we base the license on 227.5 acres we would limit the rate to 0.02 cfs/acre and 3.5 af/acre or 4.55 cfs and 796 af.

Amendment Needed? YES

JPEG of POU/PD

