

MEMO

TO: 36-8662

FROM: Cherie Padilla

DATE: April 21, 2010

RE: Water Right 36-8662 License Processing

A field examination was prepared by Brockway for this permit in anticipation of the approval of transfer 75516. The transfer proposes converting a 13.6 acre portion of a groundwater irrigation right to stock and commercial for right 36-16741. The transfer will provide a water right with an older priority for the dairy compared to the priority under this permit, 36-8662. If the transfer is approved, permit 36-8662 will be placed in the water supply bank (companion water bank application already pending at state office).

POD Overlap Analysis

No additional rights are serviced by the wells identified as the sources for this right at the time. According to WMIS the north well (well #1) has a metal tag # of A0011420 and a WMIS # of 400076. The south well (well #2) has a metal tag # of A0001260 and a WMIS # of 401499. Both wells are waived from measurement because they are under the 0.24 cfs threshold. There is a domestic well that is hooked up to well #1's system and is set up to serve as a back-up well. This well is not authorized under the permit and cannot be added to the right through the licensing process. One possibility is to add the well to this right through a transfer after the approval, depending on what becomes of transfer 75516.

POU Overlap Analysis

Right 36-10166 for domestic and stockwater covers the same dairy that this right encompasses. 36-10166 was decreed in 1996 and is limited to 13,000 gpd. Right 36-10166 uses the well described above. A condition will be added to the license to ensure enlargement does not occur.

Licensed Rate and Volume

Actual measurements were taken from each well to obtain the system capacity. Since work had been done on the barn since the original system was in place, Brockway checked the figures a couple ways to ensure that the rate was what it would have been back in 1993 (date proof was due). Evidence suggests that 0.18 cfs is very close to what it would have been.

Brockway utilized their LCO worksheet to calculate the volume used at the dairy in 1993. From statements from current and past users, Brockway estimated 36 afa would have accommodated the dairy and cattle. There were 500 milking cows, 110 dry cows, and 390 heifers for a total of 1000 cows in 1993. A less efficient system was used back in 1993 for washing the cows. However, the increase in cattle (750 milking cows total today) and upgrading the washing system to be more efficient, cancel each other out and no more volume is required.

There was a condition on the permit that required a flow measurement port to be installed. While the right holder did not comply with that condition, it is not necessary at this time. If the dairy were to add more volume or rate to accommodate expansion, it can be addressed at that time.