

Memorandum

February 2, 2010

To: 63-33283 & 63-33284

From: Craig L. Saxton

RE: Licensing of 63-33283 and 63-33284

This memo is meant to address some of the thought processes what went into the conditions on these licenses.

Measuring Device Conditions:

In 1981 an order was issued changing the permit condition regarding measuring devices from:

“A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. “

To:

“The Permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.”

My notes say that the condition requiring an access port can be dropped and not replaced. The order goes on to say that the purpose for changing the condition is, in essence, because it provided a cheaper option for the permit holder and to make it fair to the permit holder because all the applications being issued at that time had the “..access port..” condition on it.

Because of this, the measuring device requirement condition was dropped.

Supplemental to Pioneer Irrigation District Water:

The application for permit (which just has an “approved” stamp to make it a permit) identifies this water as being supplemental to Pioneer Irrigation District Water in Item 10 under remarks.

On 5-29-2009, Angie Grimm documented in a conversation memo that she had spoke with Candy Simpson on the phone. Angie noted that Candy stated there are two wells used for supplemental irrigation on the property. Angie documented that Candy and her Husband Ed Simpson were currently farming the land associated with this permit.

In addition, in the beneficial use field report narrative, the field examiner noted that the well under this right was used for supplemental irrigation.

I have added the appropriate supplemental conditions.

Volume:

No specific volume was added because these are supplemental rights and we cannot confirm how much volume has been used in an irrigation season. Limit volume in remarks.

Overlapping rights:

63-32481 (Courtney and Clayton Tuft) and 63-33283 (Wayne L Tuft LLC) partially overlap. When used in combination both rights could irrigate 59 acres. A limiting condition was added to 63-33283 limiting use of both rights to 59 acres

The recommended diversion rate for 63-32481 and 63-33283 when added together = 1.05 cfs, which when used on 59 acres, is less than one inch per acre. No specific conditions were required to limit diversion rate between the two rights.

63-32482 (Shirley Johnson) and 63-33284 (Shirley t Johnson Family Trust) overlap. When used in combination, both rights irrigate 60 acres. A limiting condition was added to 63-33284 limiting use of both rights to 60 acres.

The recommended diversion rate for 63-32482 and 63-33284 when used together = 1.4 cfs which when used on 60 acres would exceed an inch per acre. I have added a remark limiting total diversion rate when both rights are used together to 1.2 cfs.