

MEMORANDUM

Date: January 21, 2010
To: Water Right File 15-7302
From: nvandyke
Re: overlap

This permit was filed as an alternative means to irrigate a pasture in the event transfer 75098 could not be approved. 75098 was approved December 5, 2008 splitting Right 15-7152 into parts 15-7313 and 15-7312. 15-7313 is Henries portion for 0.03cfs on 3 acres for irrigation. In a February 3, 2009 letter, I explained that the permit could either be withdrawn or further processed. In a following phone conversation, Mrs. Henrie stated she would like to continue forward with the permit. I explained a combined limiting condition would be applied to the permit and 15-7313.

The Department typically authorizes 0.03 cfs/acre for irrigation of parcels not exceeding 5 acres. According to that policy, 0.09 cfs can be authorized for irrigation of the three-acre POW. Since Right 15-7313 provides 0.03 cfs from ground water already, the irrigation component of this right should be limited to 0.06 cfs.

Shelley Keen
2/1/2010