

Skaggs, Pam

From: Lester, Steve
Sent: Thursday, October 29, 2009 9:17 AM
To: Skaggs, Pam
Subject: RE: Q/A Western - Permit 65-22942 Basso - Priority & Beneficial Uses

Pam:

This is an odd one as follows:

The Warm Springs Creek area has continued to be a problem site in recent years.- lots of conflict etc. This application falls into that category. Originally filed for irrigation, it was protested and included a protracted resolution process.

Applicants agreed to use a small storage tank to be filled outside of the main irrigation season to resolve this one. The application rate of flow can include up to 0.06 af/day under the 24 hr fill idea - about 20,000 gallons/day. Any tank added to this situation undoubtedly will be far smaller than 20,000 gallons (subdivision practicalities etc. - one reason for the condition about ordinances/covenants). If the traditional dept. approach was used and storage was only listed in conditions or some other easy-to-miss place, it would be too easy for parties to get confused and miss the whole point of what is going on. That is why staff suggested amending the application to list storage. This also helped with re-advertising to make it very clear what was proposed.

The amended application did not really add uses when viewed in this way - a clarification vs. an increase/addition. During processing, the priority was changed for the application to the amended date. Upon further discussion, regional staff agreed on the alternative analysis that the priority should not be advanced due to dept. techniques to resolve this situation. The permit approval reverted to the original priority date. Ideally this would have included a database comment &/or file memo about this to clear up any questions.

This email can be added to the file to explain why the priority is 2/22/05 instead of 5/29/07. This also justifies why storage uses should remain on this permit - keep the storage idea front and center for all involved parties. Maybe this approach will help with future problems for Warm Springs Creek.

I hope this provides a good explanation - please let me know if more information or other discussion is needed on this.

Steve

From: Skaggs, Pam
Sent: Thursday, October 22, 2009 4:55 PM
To: Lester, Steve
Cc: Westra, John
Subject: Q/A Western - Permit 65-22942 Basso

Steve,

This protested application for permit was given a long & thorough review. Workflow, conditions, file etc all look good except.....File notes priority date was advanced from 02-22-2005 to 05-29-2007 due to additional uses that were added. If you look at the records for 65-22942 in information search, you will see that the application priority date was advanced, but the draft permit record was not. I don't see anything that says it shouldn't have been advanced. Perhaps you know more details about this?

We will have to research to see how to correct the priority date if it should have been advanced & time would be an issue. So, let me know if it needs correction.

Pam

Pamela S. Skaggs
Water Rights Supervisor