

MEMORANDUM

Date: June 12, 2009
To: Transfer 75421
From: jstanton
Re: Sufficiency Memo - Error Correction

Initial review and parallel processing of this transfer revealed a mistake in the total number of irrigable acres. By platting out the allowed acres on a grid map, I found that the total should be 396 instead of 366 as currently allowed. Whether this is an SRBA mistake or something from a previous transfer, I am not sure. But it appears clear that the applicants are entitled to the additional 30 acres.

The application as filed covers 372 acres, so they could add 24 acres to the existing land list. The came into my office yesterday, and told me that they decided to add back in the 2 large corners north of their main pivot; the new pivot on the south end of the farm will remain as originally proposed. I modified the shape file, and found that the 2 corners covered just over 24 acres. So I am recommending approval with the additional ground, and I have updated proposed conditions accordingly. I am chalking this up to error correction on our part, not as a change in intent on the applicants part, so I have not prepared a corrected application for their signature. The original application only dried up those corners because I thought it was necessary to have enough land for the new pivot.

Another issue that came up in all this is the total diversion rate. I originally determined that they had 9.08 cfs, but this was incorrect. Each separate right was decreed at 0.02 cfs per acre or less, so the total can only be 7.92 cfs. So we should actually owe them \$80 in excess filing fee; once we agree that the file is ready for advertising, I will contact fiscal for a refund.