

MEMORANDUM

Date: January 21, 2009
To: Water Right File 11-7372
From: medl
Re: 2nd license review

On Jan 2, 2009, the Department received an additional drawing titled Bear Lake Sands Master Water and Sewer System which was created and submitted by Jack Balling on behalf of the East Shore Water Company. The drawing provides supplemental information needed to complete the licensing process. This updated drawing of the place-of-use shows the locations of individual water supply lines and meters which were not available in previous drawings.

For subdivisions, the Department has a longstanding practice of issuing licenses for domestic purposes if the water diversion and distribution system is in place but the water has not yet been put to beneficial use on the lots. In this case, sufficient time has elapsed since proof of beneficial use was submitted that the development is nearly complete. I consulted with the Bureau Chief, Jeff Peppersack about application of the stub-in policy to this subdivision. As a result, this license is based more on the actual domestic use rather than potential use.

The ten (10) lots which represent the place-of-use associated with this water right have been renumbered since the previous map of the subdivision. They are now numbered 60-69. There are fewer water service lines/meters than there are lots. Nine (9) service lines are in use or available for use in the ten (10) lots. Lot 60 does not have a service line. Furthermore, there are pairs of adjacent lots on which single homes have been built. That reduces the feasible additional domestic water use appropriated through this right to eight (8) homes.

The individual lot sizes are approximately 0.1 acre and a double lot is approximately 0.2 acre. The irrigation per home will not exceed the $\frac{1}{2}$ acre allowed for domestic purposes. Therefore the volume for domestic use in eight (8) homes will be licensed through this right. That volume calculation is:
 $1.2 \times 8 = 9.6$ af.

The field examiner recommended no additional rate for this license. I agree that no additional rate beyond that from license 11-7359 has been put to beneficial use. Therefore the rate calculation is:
 $0.04 \times 8 = 0.32$ cfs.

To recognize the existence of the earlier right, combined use limits will be applied to this water right.