

MEMORANDUM

Date: June 19, 2008
To: Water Right File 37-7949
From: jstanton
Re: Field Report Narrative

This dairy was developed in the late 1970s by a previous owner, operating from then until 1987 when it went into the 5-year dairy buyout program. Current owner Mike Telford re-established the dairy as soon as the buyout program ended. When the licensing exam for 37-7650/7949 was conducted in July of 1993, only a small dairy was in operation at this site; all the existing usage was licensed under 7650, and 7949 was cancelled for lack of development (under the policy at that time, going into the buyout program did not protect the permit). This permit was reinstated in 1998 based on evidence supplied by Mr. Telford, but nothing has been done since then according to our microfilm records. The draft license on file was probably created by an incompetent summer examiner, and should be discarded.

Starting in 1999 and continuing to the present, this system has been measured for Water District 130. WMIS data covers 1999 through 2006, confirming the diversion rate and actual volume usage during that period. Cindy Yenter has reviewed the data, and is satisfied with it; she has been to the property. While the existing water right shows 2 wells, the small west well with a 5 hp motor and pump has failed and is no longer usable. The east well with a 30 hp motor pumps into a cistern, where other pumps pressurize water to the home and dairy. The diversion rate from the well never varies with usage, so a time clock is used to accurately determine the volume usage. The volume was cut in half about 3 years ago when the dairy was closed; there is still some stockwater use on the property. WMIS data confirms the flow rate and volume usage that has occurred when the dairy was at its maximum use since 1993, so should provide the basis for licensing. Telford told me that he milked up to 425 cows in addition to watering another 75-100 dry stock.

The measured diversion rate for this well is 0.26 cfs, but the permit is only for 0.25 cfs (0.13 cfs for stock and 0.12 cfs for commercial use); the recommended flow is based on permit limits. The maximum average measured volume of 30.5 afa is for both water rights on this system; 7.9 afa for 37-7650, with the remainder (22.9 afa) to be licensed under 7949. As is now the custom, the full volume is recommended for each use in order to provide for maximum flexibility in future operation of this dairy. Only the larger east well has been used since 1999, so any additional pumping capacity from the smaller west well would have been lost under the forfeiture statute; nothing would have prevented the owner from re-establishing the additional flow rate if it was needed.

Additional corral space (and presumably additional stock-watering areas) have been developed since proof was filed on this permit, but I am only recommending what was there during the original 1992 field exam. The additional corrals go into the NW/SE Sec. 2, so a transfer may be needed to add that tract. If this dairy is expanded by a new owner, which is expected, a transfer will be needed to bring in additional water anyway, so this should not be a problem.