

MEMORANDUM

Date: March 20, 2008
To: Water Right File 95-8830
From: jharris
Re: License evaluation

Water right permit no. 95-8830 was issued to Michael A. Pennestri on November 17, 1993 for domestic stock water and irrigation uses of 0.20 cfs for 1 home, 4 range cattle, 11 horses and eight acres. Proof of beneficial use was received on August 20, 2001 for the same amounts the permit states. An extension was granted to the applicant based on due diligence. A beneficial use field examination was completed by Keith Franklin on September 20, 2005. Keith found 7.5 acres being irrigated, 4 range cattle, 11 horses and one home putting the allocated water to beneficial use. He also noted a discrepancy in the PLS location of the POU and the POD that has since been corrected in the database and ArcView. An amendment has been prepared addressing the changes. There are several overlapping surface water rights that include a portion of the same place of use as license 95-8830. These rights are; 95-2030, 95-7017, 95-7134, and 95-2078. Attempted to contact applicant to discuss any possible use of these surface water rights, left a message (12-05-07). Made contact with the applicant and discussed the overlap, he attempted to obtain a portion of the overlapping surface water but was unable to. Further research indicates these surface water rights have general POU descriptions and were never used on this land. Groundwater is the primary source of water for this land.