

Memo

TO: The files 36-16210 and 36-16211

FROM: Deborah J. Gibson, Admin. Assistant, Water Allocation Bureau

DATE: April 19, 2007

RE: Applications for Extension of Time to Avoid Forfeiture from P. Chad Bailey and Susan C. Bailey, dba Willow Hills Dairy

The Applications for Extension of Time to Avoid Forfeiture for Water Rights 36-16210 and 36-16211, did not provide a date when use of these water rights ceased. However, the Watermaster for Water District 130 provided information about the water uses for these rights. According to the Recommendation of the Watermaster in this file, non-use had occurred prior to the filing of an Application for Transfer no. 70925, and may have existed at the time the SRBA Partial Decrees were issued, on July 26, 2002. However, because the water rights were being reviewed by the SRBA, forfeiture of the rights was tolled. According to the Transfer approval on April 19, 2004, two original rights involved in the transfer, rights 43-7126 and 43-4037, had been partially changed. New water right numbers were created to identify the new portions of the existing rights. These new rights were identified as 37-16210 and 37-16211.

Therefore, based on the July 26, 2002, issuance of the partial decrees the Department will begin the 5 year period of non-use on that date. The Extensions of Time to Avoid Forfeiture were filed timely, and may be granted, with the resumption of use deadline being **July 26, 2012.**