

MEMORANDUM

Date: July 12, 2005
To: Water Right File 77-7298
From: Shelley Keen *SK*
Re: Commercial Use

Permit 77-7298 was issued for commercial use, even though the same use from a different source of water had been called "domestic use" on License 77-7157. The permit holder claimed Permit 77-7298 as "domestic" use in the SRBA. For those reasons, the field examiner recommended licensing Right 77-7298 as domestic use. Changing the beneficial use on the license to something other than was permitted requires an amendment of permit. The application for amendment would take some time to get from the permit holder, and it would cost \$50.00. I discussed the matter with both the field examiner and with the SRBA claim reviewer, and we agreed that the same result could be achieved cheaper and more quickly if the license were issued for commercial use to be consistent with the permit and then the SRBA recommendation changed it to domestic use to be consistent with the claim and the related right.

The field examiner also recommended limiting the license to a maximum diversion volume of 13,000 gallons per day to be consistent with the way the SRBA claim was filed. Because the statutory reason to limit the right to 13,000 gallons per day is related to the claim and not to the permit, I have not drafted the license with that limit. The 13,000 gallons per day limit can be imposed on the SRBA recommendation if necessary.