

Graves, Lori

To: clh@ringertclark.com
Subject: Terteling Transfer-Motorcycle Well

Charlie, the Motorcycle well is located in a separate aquifer & it cannot be approved as part of the Terteling transfer no. 71690. It would benefit WD 63S because it would be drawing from a separate aquifer, but diversion from the well would act like a new appropriation in the Motorcycle well's aquifer. See excerpts from the Transfer Memo below, 5c.(7).

5c. Injury to Other Water Rights

For any application for transfer, the department must determine whether the proposed change will injure any other rights, whether junior or senior in priority to the right being changed. The following factors must be considered when processing a transfer and may require additional information from the applicant.

(7) Changing Aquifer Source

.....An application for transfer **proposing to change the point of diversion from one distinct aquifer to a totally separate aquifer is not approvable**, just as an application for transfer proposing to change the point of diversion for a surface water right from one distinct surface water source to a totally separate surface water source is not approvable.

There was a study done about 5 years ago by Ed Squires for Mr. Terteling confirming that the Motorcycle well was in a separate aquifer that resulted in redrawing the boundaries of 63S to exclude it. As a result, the Motorcycle well cannot be included on the transfer approval. Please let me know if you have any comments and/or questions Charlie.

Lori Graves
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