MEMORANDUM

To: Regional Offices
Water Allocation Bureau

From: L. Glen Saxton App. Proc. Memo 58

RE: MULTIPLE SOURCES ON ONE APPLICATION FOR PERMIT

Date: August 2, 1993

A question concerning whether more than one spring may be shown on a Forest Service application for permit recently was presented to the State Office in view of Adjudications Memo #12 and Water Appropriation Rule 3,3,2,2. (new rule no. 35.03.b.ii).

Adjudications Memo #12 reads in part as follows:

"If there is more than one spring on the claimant's parcel of land and the use of water for stockwatering was initiated on all of the springs at the same time or as part of the same project, then all of the springs can be claimed as one water right."

Water Appropriation Rule 35.03.b.ii reads in part as follows:

"Only one source shall be listed on an application unless the application is for a single system which will have more than one source."

Since my poll of the regional offices and the state office does not show consistency of action, administrative clarification of the matter is appropriate.

In connection with new appropriations of water, applications for permit should be consistent with Water Appropriation Rule 35.03.b.ii and should show only one source per application unless part of a single system. For purposes of rule explanation, two (2) different springs should be treated as two different sources, even though both are surface water. A "single system" requires that a system with more than one source must be physically interconnected.

Even though one system per application or permit is the desired objective, the department generally will continue to issue a license in parts such as A and B, if more than one separate system is found during an examination.