

Merritt, Allen

From: Merritt, Allen
Sent: Thursday, April 07, 2016 3:09 PM
To: 'Kevin Lakey'; Whitney, Rob; Erickson, Nathan
Subject: RE: Storing water under 37-22876

I believe the concept was that this water from 37-22876 was flowing thru the system and on top of the storage rights in the system. If the natural stream flow cannot maintain the ponds full then there may be an issue.

From: Kevin Lakey [<mailto:watermanager@cableone.net>]
Sent: Thursday, April 07, 2016 2:06 PM
To: Merritt, Allen; Whitney, Rob; Erickson, Nathan
Subject: Storing water under 37-22876

Gentlemen:

Flying Heart Ranch Subdivision recently developed ground water right 37-22876 to supplement their spring right 37-7767 and combined they cannot exceed a diversion rate of 10 cfs. Flying Heart Ranch Subdivision also owns an aesthetic/recreational storage right 37-11828 for 11.2 acre feet. Conditions in both 37-7767 and 37-11828 limit these two rights to a facility volume of 18.8 acre feet. 37-22876 is not included in any of these storage totals. In the recent past, physical wet water to supply 37-7767 and 37-11828 has significantly declined. Since the only or greatest percentage of water that may be in the system comes from 37-22876, I have been questioned recently whether it would be legal for Flying Heart Subdivision to store water from 37-22876 under the storage conditions for 37-7767 and 37-11828. I hope I made that clear. Let me know if you need any clarification. Thanks for the help.

Kevin Lakey
Water District 37