

Walker, Kay

From: Walker, Kay
Sent: Friday, August 26, 2005 1:22 PM
To: Wilson, Keith
Cc: Walker, Kay
Subject: RE: Licensing 22-7588 CONDITIONS!

Keith: I'll put your e-mail in the file for future notification to whomever does the licensing review... Thanks. Kay

-----Original Message-----

From: Wilson, Keith
Sent: Friday, August 26, 2005 12:14 PM
To: Walker, Kay
Subject: Licensing 22-7588 CONDITIONS!

Kay,

I have received a complaint from Jan Momchilovich (22-7329) about not getting her water. Terry Blau went on site to investigate and found the larger pond (permit-licensing draft for 22-7588). The original application 22-7588 was for 0.02 cfs stock water from a spring which appears to have been in the NVNESW.

Dave Carlson has recommended that this be changed to recreational storage for a 2.0 af pond from an unnamed stream. I do not know how the pond was constructed or even if it has a spillway or culvert to allow water to flow out of the pond. 22-7329 (Priority 06/20/1980) 22-7588 (Priority 09/29/1988)

I'm not sure what can be done at this stage but I think 22-7588 should have conditions requiring measuring devices into and out of the pond to insure that 22-7329 receives her water right.

Could you see what could be done. At this point Jan would have no opportunity to object to changing 22-7588.

There is also an issue of an illegal diversion dam going in below the pond. Terry Blau said that the contact person did not see a problem with removing the smaller illegal diversion. Terry also thought that since the unnamed stream shows as intermittent on the USGS Quad that there was not a stream channel violation, but more of a water right issue. I thought that a show cause letter could be sent for this, and removal of the illegal dam may resolve the problem that Jan is having. Terry will send me the information on its location with pictures.

Still I think a measuring device should be required or some sort of mitigation.

Thanks,
Keith