

MEMORANDUM

Date: February 13, 2012
To: Water Right File 63-31550
From: cpalmer
Re: Licensing Memo

DATES

Application submitted to Dept. September 20, 2002
Permit approved January 9, 2003
Proof filed November 1, 2006
Field exam conducted July 11, 2006

DEPARTMENT POLICY

This right was approved after the Municipal Act of 1996 but before the new policy was set forth by the Department in 2009. Pursuant to Admin. Memo-Licensing #1, the license can reflect the systems capacity instead of figuring out the actual additional increment of beneficial use on the license. (please see Mat Weavers case study of file 63-31283 for more details on this subject). In this case, the field examiner witnessed a diversion rate of 5.2 cfs. This right will be licensed for the full permitted rate of 4.9 cfs.

POU

The place of use is the service boundary for the city of Caldwell. The Large POU of this right will be connected to the existing shape in the Departments database. In addition, I have saved the shapefile in docs.

PDs (wells)

The PD for this right, aka well #17, is interconnected into the city's municipal system. In addition to well #17, the city of Caldwell has many wells as part of their municipal system (right 63-32024 seems to have the most up-to-date comprehensive list). Unfortunately, there has not been a lot of consistency in identifying the PDs within the Department and the claims that were submitted by the right holder creates more confusion. For example, the claim within 63-32024 identifies 6 wells within the NENE of 4N3W Sec. 28, yet 6 PDs are not identified in ArcMap; 2 wells are identified in ArcMap as being part of the city's municipal system. Furthermore, I searched well logs and through other files to try to find the other 4 PDs in the NENE but found nothing. Consequently, there are more questions about what actually is taking place on the ground than answers. Since there is so much ambiguity regarding the wells within the municipal system, I will keep well #17 as the only well associated with this right. If the city sorts out all the wells a transfer can be filed to add all wells onto this right.

CONDITIONS

The water bearing zone that was developed is 199 ft to 320 ft whereas the conditions authorized a water bearing zone of 260 ft to 900 ft. An order will be issued to modify the water bearing zone pursuant to the field examiners recommendation (199ft to 500 ft).

I sent a letter to the protestant, BOR, of this right to see their interest in the modification of condition #9 of the permit to reflect the field examiners recommendation. I never received anything in response so will assume there is not an issue with updating the license to reflect the new language. The order will address both WBZ condition and condition #9.

No amendments are necessary for the licensure of this permit.