

MEMORANDUM

TO: Water Rights File 36-2417, 36-7002A, and 36-15984
FROM: Daniel A. Nelson
DATE: May 12, 2011
SUBJECT: Mike Telford Water Bank Lease Application

On November 12, 2009, Mike Telford submitted a water bank lease for portions of water rights 36-2417, 36-7002A, and 36-15984. The water bank leases requested that portions of these water rights be leased from the water bank. Unfortunately, no map was supplied, so I was unable to review the exact location of the acres being leased. Without know the location of the water rights being leased, it is not possible to determine if the water rights on the lands being leased are valid, or if they are owned by the applicant. I wrote Mr. Telford a letter on April 12, 2011 requesting that a map be supplied by no later than April 26, 2011. The maps were not received. On June 23, 2011 the Water Supply Bank lease applications were re-submitted with the maps and calculations showing the amount of water being retired from each water right.

After the maps were received, I began my review of the validity of the water rights. I discovered that that one(2) of the water rights were decreed in August of 2001 and one(1) of the water rights was decreed in May of 2002. When Combined these water rights could irrigate a combined total of 444 acres.

My review of the LandSat aerial photography from 2002 to 2010 shows that the maximum number of acres irrigated was 437.2 acres within the borders of the water rights resulting in 6.8 acres of the 444 acres allowed by the water rights that haven't been irrigated since the water rights were decreed. I did find approximately 15.6 acres being irrigated outside of the water right borders not being described by a valid water right. The 7.8 acres marked on the application map actually hasn't been irrigated since before the water rights were decreed. Therefore, it appears as though the portion of ground associated with this Water Supply Bank lease has already been moved to other ground without filing a proper water right transfer. This could result in a possible Notice of Violation, unless a water right transfer is filed immediately, and the acres outside of the water right boundary are adequately covered with a valid water right. Until a water right transfer has been filed on this ground, it would be impossible to determine what can and cannot be legally irrigated. **Therefore, all of these Water Supply Bank leases on water rights 36-2417, 36-7002A, and 36-15894 should be denied.**

A copy of this memo should be sent to the watermaster of Water District 130 to ensure the proper action is taken on this ground.

Teleford Basin 34 Water Bank Leases Acre, Diversion Rate, and Volume Calculations

Total Combined Acres =	444
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36-2417 & 36-7002A Combined = 291 acres and 1164 af

Acres to Be Retired =	7.8
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Water Right	Water Right Diversion Rate in cfs	Water Right Volume in af	Allowable Acres	Water Right's percentage of Total Combined Acres	Percentage Multiplied by Total Acres to be Retired = Acres Retired per Water Right	Diversion Rate in cfs	Volume in af
36-2417	1.20	0.0	65	14.6396%	1.1	0.02	0.00
36-7002A	4.36	0.0	226	50.9009%	4.0	0.08	0.00
36-15984	2.91	612.0	153	34.4595%	2.7	0.05	10.75

Total Combined Acres for 36-2416 and 36-7002B =	5.1
Combined Volume for 36-2416 and 36-7002B. (1028 combined af / 257 combined acres) * Total Combined Acres Retired.	20.4
Combined Diversion Rate for all 3 Water rights = (5.70 cfs / 308 acres) * 12.2 acres	0.14

PLEASE NOTE:

When all of the water rights are combined the total acre amount that can be irrigated will be reduced by 7.8 acres to 436.2 acres.

When water rights 36-2416 and 36-7002B are reduced, they will be limited to 285.9 acres and 1143.6 af.

The acreage amount of each of the water rights will be reduced as shown above.



Red Border is lands irrigated
outside of water right Border
without known water right.
15.6 acres

Green Border is Water Right Border.
Combined 444 acres

2009 NAIP

Yellow Border are maximum acres
irrigated within the water right
border from 2002 to 2010.
437.2 Acres

Water Rights = combined 444 acres.

Found 437.2 Acres irrigated
From 2002-2010 with in
Water Right Borders.

Found 6.8 acres with in the
Borders NOT irrigated FROM
2002-2010 -

Found 15.6 Acres irrigated
Outside OF the Water
Right Borders.

IT Appears a Water Right
Transfer is need BEFORE
Moving Forward with
Water on Lease.

7.8 Acres Marked on
Application map Haven't
Been irrigated since
Before 2002.

NO TRASH.

2009 LandSat

MO
IRRIG.

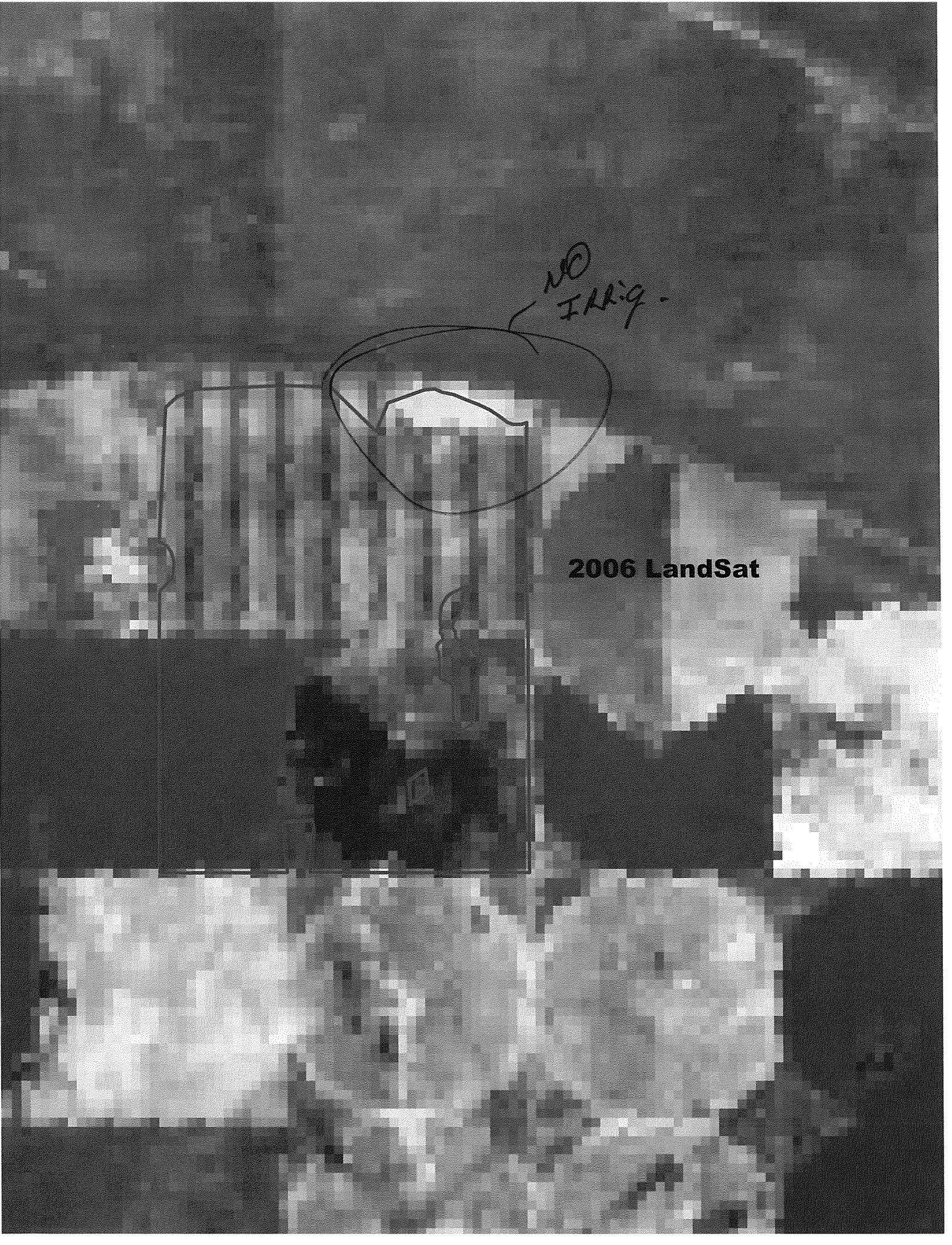
2008 LandSat

NO IRRI

2007 LandSat

NO
IRRIG.

2006 LandSat



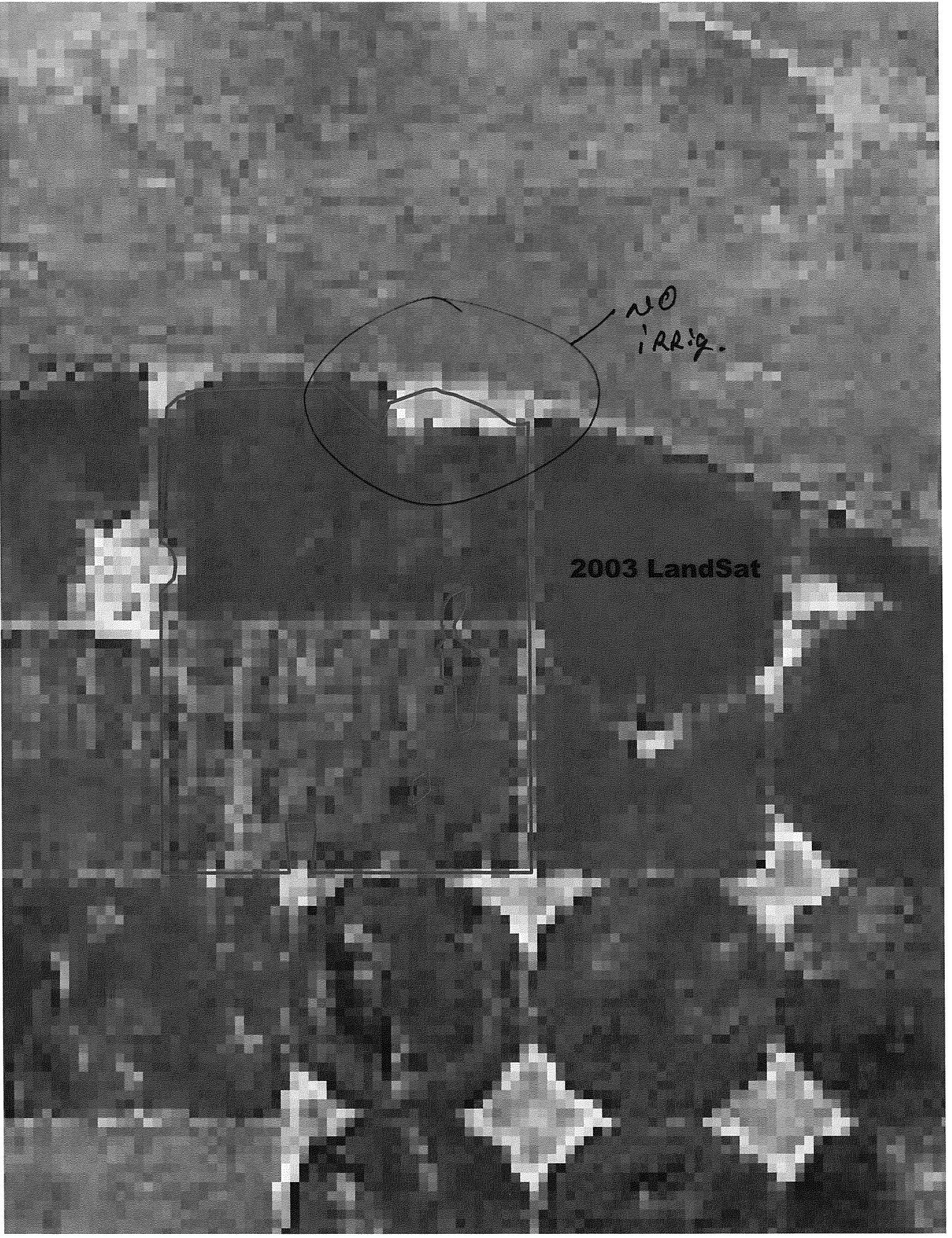


NO
'AR'ig

2005 LandSat

NO
IRK-9.

2004 LandSat



no
irrig.

2003 LandSat

NO
IRK-5.

2010 LandSat

NO IRRIG

2002
LANDSAT

