

MEMO

TO: File 45-7678

FROM: CPadilla

DATE: April 1, 2011

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 9/11/90

Permit Approved: 1/15/92

Proof of Beneficial Use Received: 9/30/93

Field Exam Conducted: 8/24/94

POU Overlap Analysis: Please see Craig Saxton's memo. Essentially, there is one overlapping right of concern, 45-308B from surface water. Water right 45-308B from Marsh Creek fully overlaps this groundwater right. At the time this application for permit was filed, the groundwater was meant to be supplemental as the right holder states this irrigation will supplement decreed water. The field examiner reported that the groundwater is not used much and is being used to supplement the surface water. A volumetric limit will not be added to the license since this right is supplemental and supplemental conditions will be added to the license.

POU: Note that this permit was approved for only 30 acres while the surface water covers 32 acres. I did an in-depth look at aerial imagery from 1992 and 1968 to see if there was the pond in the lower SW corner of the property. 1992 imagery was inconclusive; however, 1968 imagery and current NAIP clearly shows the pond's existence so I excluded this area from the irrigated place of use for this right since it appears to have always been in place. In addition, I outlined the home and any area that did not appear to be irrigated to be exact in my acreage recommendation. I end up with 30 acres of irrigated area.

PD Summary: On 6/26/09 an order was issued by the director that requires any groundwater user within water district 140 to install a measuring device. Although the order requires the installation of the measuring device I cannot impose new restrictions at licensure of this right. A measuring device plan has been submitted to water distribution staff by the right holder (see attached letter).

Volume and Diversion Rate: The field examiner recommended the full permitted rate of 0.60 cfs based on hp equations and that is what the license will reflect. Any volumetric limits will be addressed in the conditions because of the supplemental nature of this right.

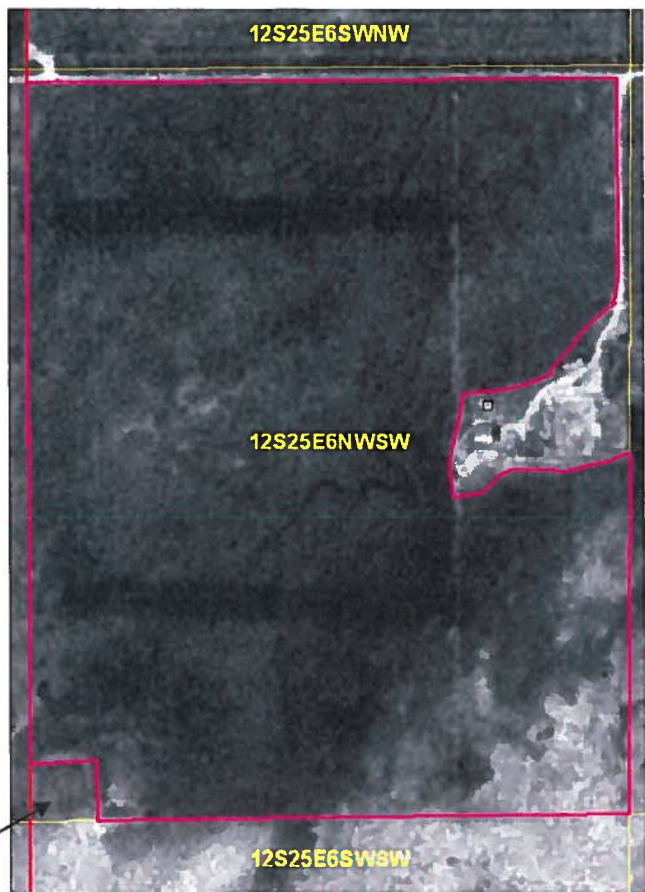
Season: The current season of use standard for this area is 4/1-10/31, I have adjusted the season on the license.

Amendment Needed?: NO.



1968 Imagery

POND



1992 Imagery

The pink outlined area is the POU for 45-7678