

MEMO

TO: File 65-13599

FROM: CPadilla

DATE: December 21st, 2010

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 2/23/95

Permit Approved: 5/15/95

Proof of Beneficial Use Received: 4/28/00

Field Exam Conducted: 8/21/01

NOTE: An order was issued 7/8/2004 that required the installation of a measuring device and controlling device on the diversion works. This permit was initially approved with a condition that allows for measuring device/lockable device after specific notification. This order will act as the specific notification and the license will be issued with a condition requiring the maintenance of the devices. *Inspection of Diversion document dated 8/2004 states that measuring device/lockable device have been installed.*

Conditioning:

Comment	Water Permit Condition Report
The field examiner confirmed 100 cattle.	Stockwater is for 100 range cattle.
Remove from license, no irrigation found.	03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
Update to R05 and WD #65A	005 Use of water under this right is subject to control by the watermaster of State Water District No. & DISTRICT.
Carry to license but not sure of why it was placed on permit.	The Director retains jurisdiction to limit diversion of water to in-house uses only.
Use confirmed. The license will include domestic use w/ 1/2 acre irrigation.	Domestic use is for 1 home. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
Carry to license.	When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
Change to R43 per order.	A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
Doesn't carry to license	26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
Carry to license.	After specific notification, the right holder shall annually report to the department the amount of water diverted under this right.

POU Overlap Analysis: There are no significant overlapping water rights.

PD Summary: There are two springs authorized under this license. Spring no. 1 is the same spring that permit 65-13677 uses for wildlife storage. In the beneficial use field report, the field examiner reported "spring no. 1 can provide wildlife storage water to the four lower ponds that are documented and covered in exam 65-13677." However, this is not true. Field examiner for 65-13677 found that spring no. 1 provides water to one pond only (known as pond #4). The other three ponds are fed by unnamed streams authorized under 65-13598. Spring no. 1 provides water for the domestic use. Spring no. 2 discharges from a 2" pvc pipe into a stock trough at the spring site and was measured at 1 gpm per the field report. Spring no. 2 provides water for stockwater uses only.

Legal Description	System Capacity	Used by Water Rights	Uses
SENE SW Sec. 22 10N 1E	0.18	65-13599 & 65-13677	Domestic and Div to Storage for Wildlife
NENE SW Sec. 22 10N1E	0.01	65-13599	Stockwater
Total	0.19 limited to permitted rate of 0.03 cfs		

Volume and Diversion Rate: The Rate from spring no. 1 was measured at 0.18 cfs from the field exam conducted for 65-13677. Since the spring provides for domestic use only under this right, the domestic use will be limited to 0.02, or the permitted rate for domestic. In addition to indoor use, this right will allow for up to ½ acre of irrigation under domestic since no other irrigation had been developed. The volume limit will be the standard 1.2 afa.*

Spring no. 2 was measured at 1 gpm or 0.002 cfs. The stockwater will be limited to the minimum rate of 0.01 cfs. It appears that the field examiner confirmed 100 range cattle, which would yield a volume of 1.3 afa pursuant to the field examiners handbook.

Amendment Needed?: YES. Stockwater POU needs updated.

* It's not clear in the field exam whether or not there was lawn irrigation but she did recommend 1.2 af for the volume which covers indoor and lawn irrigation. From her recommendation I assume that some type of lawn irrigation was occurring.

SCANNED
JAN 14 2011