

MEMO

TO: File 81-11986

FROM: Cherie Padilla

DATE: September 27, 2010

RE: Measuring Device Waiver

This permit was approved with a condition that required a measuring device and data logger. This permit is not located within a water district and would be permitted differently if it were approved today concerning the conditions. Since this is not in a water district, but exceeds the use under 42-111, the following conditions would apply pursuant to Measuring Device Conditions for the Wild & Scenic Rivers Area dated 5/1/97 by Shelley Keen:

195

Text

Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.

196

Text

The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.

197

Text

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

198

Text

When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

We applied condition 195 to this permit, so this requirement will remain on the permit. Conditions 196 and 198 were not placed on the permit and will not be added to the permit at this time. Condition 197 will substitute the condition that is requiring a measuring device and data logger immediately in order to be consistent with the memo.