

MEMORANDUM

DATE: September 7, 2010

TO: Water Right Files 29-170, 29-171, 29-12064, and 29-13726

FROM: Shelley W. Keen *SWK*

RE: Pond created by the delivery of water to the place of use

John Falk sent me his 4/11/2008 memo about the reservoir created to store water delivered to the Thunder Canyon Golf Course for irrigation. From a water rights administration standpoint, there are two key items in John's memo. The first is the sentence:

We understand the operation of the facility caused the pond to be filled during the day and then at night the impounded water is transported by buried pipeline to irrigate a nearby golf course, which empties the pond and repeats the cycle.

This kind of re-regulation pond need not be described as an element of a water right because it does not impound more than a 24-hour irrigation supply.

The second key item is the set of photographs showing the reservoir to be dry in the wintertime. The photographs confirm that the water cycled through the reservoir is only for irrigation purposes and not for year-round aesthetic or wildlife purposes.