

MEMORANDUM

Date: December 21, 2009
To: Water Right File 37-7861
From: medl
Re: license amendment

Mr. Mecham and his grandson came to Boise to discuss this license. They arranged to meet with Craig Saxton and Craig invited Shelley Keen and I to sit in on the meeting to assist him.

Several issues were discussed in the meeting.

- 1) Year-round hydropower use. The old decree limits the wintertime rate to 0.3 cfs. My theoretical calculations show that that rate is not likely to produce power on the current system. However, Mr. Mecham stated that he had beneficially used more than the decreed amount through the system until the neighbor was able to accept his share of the pipeline flow. Proof was submitted for 0.3 cfs and a remodeled system could potentially generate power at that rate. Therefore, I am amending the license to include a winter season rate for power equal to 0.3 cfs and the companion volume for that rate to this license.
- 2) Fish propagation use on this license. 2 cfs for fish propagation with an equivalent priority date and place-of-use has been licensed under right 37-7862. I believe that Mr. Mecham's fish propagation use is already adequately protected. Therefore, fish propagation will not be added to this license.
- 3) Storage and diversion to storage use. Mr. Mecham confirmed that the ponds are small enough that they can be filled or drained in a single day at 0.714 cfs rate. Therefore they are too small to qualify for storage and storage uses and those uses will not be added to this license.

After our meeting, I received an interoffice correspondence from Carter Fritschle (Adjudication Section Manager) questioning the tributary listed on this water right. Other decrees in this area list Stoddard Spring as tributary to Stoddard Creek not to the Snake River. The pipeline servicing this right intercepts Stoddard Spring before it reaches its natural water course, piping the spring water south where it discharges into the Snake River instead of Stoddard Creek. To be consistent with the other decrees for the same system, (including Mr. Mecham's), I will amend the tributary to field for this license so that it names Stoddard Creek Spring tributary to Stoddard Creek.

As a consequence of licensing a winter rate for power through this license, I have amended my volume calculation. The volume licensed for this right is still calculated as a remnant of a total volume based on the decreed rates. But with the addition of a winter season rate that calculation now is:

$134 \text{ days at } 0.3 \text{ cfs} + 232 \text{ days at } 0.714 \text{ cfs} = 205.848 \text{ cfs-days.}$

$205.848 \times 1.9835 \text{ converts to } 408.3 \text{ afa.}$

$408.3 \text{ minus the standard volumes for priority uses on this system: (irrigation use in this area } 4 \times 11 \text{ ac} = 44 \text{ af; stockwater use} = 0.4 \text{ af) } 408.3 - 44 - 0.4 = 363.9$

$363.9 \text{ rounded to 3 significant figures is } 364 \text{ af and the volume that will be authorized on the amended license.}$

Each individual use volume was docked a proportion of the priority stockwater and/or irrigation standard volumes and then rounded to present compatible subsets of the whole volume.