

## MEMORANDUM

**Date:** February 21, 2008  
**To:** Water Right File 96-9104  
**From:** medl  
**Re:** license review

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While reviewing this file for licensing, I found the following worth noting:

Neither the POD nor the POU shapes had been created prior to my review. I created them based on 2004 NAIP aerial photography and notes in the beneficial use field exam. The permitted domestic use was for 9 homes at a rate of 0.04 cfs. The permitted irrigation use was for 4.5 acres at a rate of 0.09 cfs. The field examiner found only 4 homes and 2 irrigated acres were developed but that both uses had the same 0.07 cfs flowrate.

The Department is prohibited from granting an irrigation water right for more than 0.02 cfs/acre (0.03 cfs/acre if less than 5 acres are irrigated). In this case the upper limit would be 0.06 cfs. The examiner found a 0.07 cfs rate for irrigation which is less than the permitted amount but exceeds the 0.06 limit. The examiner also found that the domestic use was using a flowrate of 0.07 which exceeded the permit amount.

In order to license the domestic use as close as possible to the development witnessed by the field examiner, some of the undeveloped irrigation use will need to be transferred to the domestic use. A change in the nature of use requires an amendment to the license. See the table on the following page for a summary of my calculations.

Four homes with internal only, domestic use is 0.6 cfs per home or 2.4 afa for volume. The field examiner recommended 51.6 but that volume is incorrect. Keith Franklin from IDWR northern region, had reviewed the field exam, and corrected the volume in the field notes but I do not agree with the correction. I am licensing this water right for 8.4 AF which is 6 AF irrigation + 2.4 AF domestic.

### Change in Nature of Use

|         | <b>Irrigation Use</b>    | <b>rate(cfs)</b>                                          | <b>volume(af)</b>                     |                                |
|---------|--------------------------|-----------------------------------------------------------|---------------------------------------|--------------------------------|
| Permit  | 4.5 acres                | 0.09                                                      | 13.5                                  |                                |
| Exam    | 2 acres                  | 0.07                                                      | 6                                     |                                |
|         | max = 0.03/ac            | 0.06                                                      |                                       |                                |
|         | transferrable<br>cfs     | 0.03                                                      | 7.5                                   | decrease in acres<br>irrigated |
|         |                          |                                                           | 3 AF per<br>acre * 2<br>acres = 6     |                                |
| License | 2 acres                  | 0.06                                                      |                                       |                                |
|         |                          |                                                           |                                       |                                |
|         | <b>Domestic Use</b>      | <b>rate(cfs)</b>                                          | <b>volume(af)</b>                     |                                |
| Permit  | 9 homes                  | 0.04                                                      |                                       |                                |
| Exam    | 4 homes                  | 0.07                                                      | 51.6                                  |                                |
|         |                          | 0.03 + 0.02<br>transfer from<br>undeveloped<br>irr = 0.06 | 0.6 per<br>home * 4<br>homes =<br>2.4 |                                |
| License | 4 homes                  |                                                           |                                       |                                |
|         |                          |                                                           |                                       |                                |
|         | <b>Combined<br/>Uses</b> | <b>rate(cfs)</b>                                          | <b>volume(af)</b>                     |                                |
| Permit  |                          | 0.13                                                      |                                       |                                |
| Exam    |                          | 0.14                                                      | 56.6                                  |                                |
|         |                          | 0.07+ 0.06 =                                              | 6.0 + 2.4 =                           |                                |
| License |                          | 0.13                                                      | 8.4                                   |                                |