

MEMORANDUM

TO: 63-11908

FROM: Angie Grimm

DATE: 12/21/07

RE: Clarification of POD relevant to Application for Permit 63-32565

63-11908 Summary of Water Right Information:

- License issued 4/23/94 with priority date 7/21/92.
- Domestic use 0.04 cfs diversion volume 1.2 AF
- POD T3N, R4W, Sec. 10 NWSW
- POU T3N, R4W, Sec. 10 NWSW
- Proof of Beneficial received 11/17/92 stated well drilled 1/6/72 by Kenneth Witt
- Application for Permit received 7/21/92 stated POD to be community well w/in Blossom Heights Subdivision owned by "Blossom Well Association/Ivan Wallace Stanley Robison p.o.c." The permit application states Kenneth Will well drilled the community on 1/6/92.
- Lawson filed for a drilling permit (Permit # 725923). It was approved 7/24/92.

Meeting with Blossom Well Association Inc secretary Mrs. Wallace on 12/14/07:

Mr. Wallace stated this home (formerly owned by John & Linda Lawson, now owned by John's ex-wife Linda McNichols Parcel No. R332980I000) has it's own well and is not served by the Blossom Heights Subdivision community well.

Summary:

Despite Application for Permit and Proof of Beneficial Use evidence the POD for WR 63-11908 is not the Blossom Heights Subdivision community well. The POD is a separate well drilled on the homeowner's property per Mrs. Wallace of Blossom Heights Water.

The POD PLS description is accurate on the license as the WR owners' well is on their property in the same QQ as the Blossom Heights Subdivision community well. The POU is also accurate.

Filing of a transfer would be the appropriate action for the current owner of 63-11908 to do, but we are not going to solicit this action at this time since the new well is in the same PLS location as the existing license states. The POD for this water right is not the Blossom Heights Subdivision community well. Therefore, it will not be considered a POD overlap of existing (63-7859 and 63-8078) and proposed (63-32565) water rights for the Blossom Heights Subdivision.