

MEMORANDUM

DATE: December 16, 2005

TO: Water Right File 67-14433

FROM: Shelley W. Keen *SWK*

RE: Measuring Device Requirement

This afternoon Bosco Bosler, Watermaster for Water District 67, called to discuss the measuring device requirement for Permit 67-14433. Mr. Bosler explained that the permit holder, Marc Agostini, had called him to ask if the measuring device is really needed. Mr. Bosler recommended to me that the measuring device requirement be waived because of the unique circumstances of Mr. Agostini's diversions from Cove Creek.

According to Mr. Bosler, there is no headgate and controlled diversion from Cove Creek. Cove Creek used to flood Mr. Agostini's property during the spring runoff. Mr. Agostini dug a channel to convey the floodwater away from the rest of his property and into his pond. When Cove Creek recedes, Mr. Agostini is unable to continue diverting. Mr. Agostini's "use" of Cove Creek water is over by the time Mr. Bosler is actively regulating diversions in Water District 67.

Mr. Bosler agreed to send me an email summarizing his position regarding the measuring device requirement. I agreed to contact Mr. Agostini to discuss his options for getting IDWR to waive the measuring device requirement.