

MEMORANDUM

DATE: February 13, 2003

TO: Water Right File 63-12275

FROM: Shelley W. Keen *SWK*

RE: Changes to diversion works

In 1998 the field examiner for Permit 63-12275 reported that the permit holder, Mountain View Homeowners Association (MVHA), "dumps excess water" into the Mill Slough via a 4-inch drain pipe. In January of 2003 I sent MVHA a reminder that wasting water is not allowed. This week the MVHA provided documentation showing that it has implemented changes that have substantially diminished, but not eliminated, the amount of water being wasted. The changes are:

- Replacement of the 15 horsepower motor with a 10 horsepower motor in July of 2001. This change reduced the instantaneous diversion capacity of the irrigation system.
- Installation of a time clock in August of 2002 to limit operation of the irrigation system to 84 hours per week. This change cut in half the amount of time that water was being diverted and wasted.

MVHA reports that the changes reduced its pumping costs from over \$500 per month to \$175 per month.

In a telephone call MVHA board member Gene Greer told me that the inefficient, wasteful irrigation system found by the field examiner was installed by the developer of Mountain View subdivision and given to MVHA. According to Mr. Greer, MVHA is committed to improving the poor irrigation system it inherited. In addition to the improvements listed above, MVHA also wants to purchase a pressure storage tank to further reduce pumping costs and to completely eliminate the wasting of water into the Mill Slough. Mr. Greer said that raising capital to make the changes has been difficult for the MVHA.

Although the wasting of water may not be entirely eliminated yet, I recommend issuing a water right license to MVHA. Issuing the license with an authorized annual volume will set the benchmark against which future diversions will be measured. I further recommend sending the license to MVHA with a cover letter explaining that the annual diversion volume listed on the license is the limit of the water right and that IDWR expects MVHA to implement additional measures to eliminate their need to divert water in excess of the water right. The letter should also state that because of the good faith demonstrated by MVHA's prior measures to reduce wasteful pumping, and because IDWR has received no complaints about MVHA's practices, IDWR will allow a two-year "grace period" for the additional measures to be implemented before any enforcement action will be initiated. The grace period should be contingent upon MVHA not increasing their diversion of water above 2002 amounts and upon IDWR not receiving any complaints about MVHA. At the end of two years IDWR will expect to receive a report describing the measures taken by MVHA to eliminate its wasting of water.