

M E M O R A N D U M

DATE: January 11, 2005

TO: Jim Stanton

FROM: Shelley W. Keen

RE: Proposed approval conditions

Steve Burrell provided these revisions to the approval conditions proposed for the Blaine County School District application, 37-21177. Please add this memo to the file for later review.

The portion of Right 37-21114 committed to mitigation for the diversion of water under this right shall be managed as a surface water diversion, and the pump for permit 37-21177 shall be the regulating structure for management. When the pump is on, the mitigating portion of Right 37-21114 shall be considered as a constant diversion from the Big Wood River. The point of diversion for Right 37-21114 from the Big Wood River shall be changed from the point of diversion for the Hiawatha Canal in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T3N, R18E, B. M. to the location on the river closest to the point of diversion for permit 37-21177, <XX $\frac{1}{4}$ XX $\frac{1}{4}$, Section 00, Township 00 North, Range 00 East, B.M.>

To implement this mitigation requirement, IDWR should direct the watermaster in Water District 37 as follows:

The portion of Right 37-21114 used for mitigation purposes shall be listed as a "consumptive" right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered "on" when the pump for permit 37-21177 is in use.