

MEMO TO FILE

12/13/2023

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Water Right #: 97-8930

I called and left a voicemail for claimant Lisa Clarr that she returned today. I wanted to clarify issues on her claim that I found when I began to review her claim for recommendation. These issues include:

1. Claimed in Lisa's name, but appears to be owned by trust
2. Year built date of 1930 but claimed PD is 2005
3. 2 groundwater sources listed, suspect 1 is river water
4. Find out which claimed POD is the well
5. Clarify irrigation POU because claimed POU includes heavily saturated land with standing water that doesn't appear to have typical signs of irrigation via aerial photos

Our phone call initially addressed my question about the groundwater sources claimed. Lisa confirmed to me that one POD is, in fact, a surface water source where water is being pumped from East River to their irrigation POU. She stated that the 6 acres was an approximation, and confirmed that the POU should not include any land on the neighbor's property to the south. I asked very directly a number of times if the claimed POU was actually being irrigated, and I was told that it is. Lisa mentioned to me that the entire area wasn't irrigated, but that there was a dry spot by the barn that is irrigated.

I confirmed that the barn is the building along the northeast side of the property line, and I believe the "dry spot" that she was referring to is in between the barn and the river. I quickly measured this location, and it is approximately 0.50 acres. I started to ask questions about the possibility of only needing this half acre of irrigation using water from the river and having her claim domestic use of the river. I explained that this could potentially be an option that would require less work gathering evidence to support 6.1 acres of irrigation.

I gave Lisa a detailed idea of what type of evidence she would need to provide to corroborate her irrigation claim. I asked her more about the history of the property and for specific dates. She told me that the well was drilled in 1997 according to the previous owner. No paperwork was able to be located on that yet. She also said that the home used water from the river for all needs before the well was drilled in 1997, including domestic. She indicated her desire to amend her claim to this earlier priority date.

Lisa stated that she would attempt to get a signed affidavit from her neighbor who has been on his property next door for decades. I told Lisa that I would try to locate an aerial photo from 1971 or earlier that provides evidence of irrigation, but that I wasn't hopeful it would be supportive due to the land irrigated not having typical signs and the appearance of irrigating a crop.

Next, I asked Lisa if the property was owned by a trust. She did indicate that the property had just recently been transferred into their trust. I told Lisa that I would send her paperwork to change the

ownership of the claim, and I would include a map that she could use for that purpose. The maps I send will also have the claim POD & POU, as well as an indication of where I believe she may actually be irrigating on the northeast corner of the property. I asked her to once again indicate where exactly they irrigated, and to be specific.

Finally, I let Lisa know that she would need to claim surface water on a separate claim from the groundwater, and that if she was not able to provide enough evidence to recommend it that she could still obtain a water right for that use via the permit/license process.

Lisa let me know that if the evidence came down to the affidavit from her neighbor, that she wouldn't be able to contact him until January. I let her know that the claim for domestic use of groundwater isn't waiting on that information right now because surface water needs to be on a separate claim. Once I receive the amendment for the priority date I can move forward with recommending the domestic claim.