

**From:** Mrowka, Kathy@Waterboards [mailto:Kathy.Mrowka@waterboards.ca.gov]  
**Sent:** Tuesday, May 30, 2017 4:18 PM  
**To:** Kirk Wilbur <kirk@calcattlemen.org>  
**Cc:** O'Hagan, John@Waterboards <John.O'Hagan@waterboards.ca.gov>; Weaver, Lily@Waterboards <Lily.Weaver@Waterboards.ca.gov>; Yeazell, Jeffrey@Waterboards <Jeffrey.Yeazell@waterboards.ca.gov>  
**Subject:** Specific Permit Question

Hi Kirk –

I realize that you have been asking questions about a specific water right situation. I thought you might appreciate a broader response. If the delay in response affected your member's ability to timely comply, please inform them that they can file for time extension due to awaiting our response.

**Measurement Device Installation Date:** Determined by Face Value of the right (tit. 23 CCR §932(c)).

**Qualified Individual Requirements:** Determined by Face Value of the right (tit. 23 CCR §931(l)).

**Required Accuracy:** Applied to each individual pond covered in the water right (tit. 23 CCR §933(d)). Two different-sized ponds under the same right could have different accuracy requirements. Accuracy is based on storage capacity of the pond.

**Required Monitoring Frequency:** Applied to each individual pond covered in the water right (tit. 23 CCR §933(b)(C)). The measurement frequency is based on storage capacity of the pond.

**Place of Use Designation for Reservoirs:** The deputy director may designate the pond or reservoir as the place of use for the purposes of complying with measuring and monitoring requirements. (tit. 23 CCR §931(j)(3)) We ask that all requests associated with the regulation be filed electronically. The method for electronic submittal is to use the alternative compliance plan. The diverter would be seeking an alternative to required monitoring frequency, based on the individual pond sizes. They would need to provide information on the measurement that will be used at each point of diversion in the plan.

Kathy Mrowka

Program Manager

Enforcement Program

Division of Water Rights

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