

Cefalo, James

From: Cefalo, James
Sent: Thursday, March 25, 2021 10:43 AM
To: 'Kristin Moore'
Subject: Application for Transfer 84555 (City of Moore)

Kristin,

The City of Moore filed Application for Transfer 84555 in November 2020, proposing to change the nature of use for a portion of water right 34-2323C from Irrigation use to Municipal use. The application stated that the nature of use change would not require a reduction in authorized volume because water would continue to be used for irrigation within the City of Moore municipal service area.

Generally, when a water user changes the nature of use for a water right, the proposed use is limited to the historical consumptive use under the previous use. In the past, the Department has allowed cities to change water rights from irrigation to municipal use (for irrigation) without reducing the authorized volume to the historic consumptive use. We were just notified that that this practice has been discontinued. In conjunction with a transfer application filed by Suez Water (in the Western Regional Office), the Department had an opportunity to carefully review the practice of converting irrigation use to municipal use without a volume reduction and has determined that it is not consistent with Idaho law. Moving forward, water rights converted from irrigation use to municipal use will be limited to the historical consumptive use under the irrigation right being converted.

The City of Moore is now faced with a choice. The City can keep the transferred portion of water right 34-2323C designated as an irrigation right. If the city chooses this path, you need to identify the exact location of the acres to be irrigated. The City may also choose to convert the transferred portion of water right 34-2323C to municipal use. If the city chooses this path, I need you to provide data quantifying the historical consumptive use for the transferred acres.

I apologize for the change in course. It came as a surprise for our office, too. Please feel free to contact me directly if you have questions or want to discuss the options.

James Cefalo
Regional Manager
IDWR Eastern Region
(208) 525-7161