

MEMORANDUM

Date: December 3, 2019
To: Transfer 83668
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer adds two points of diversion to one of the ground water rights (31-371) held by Mud Lake Water Users Inc. None of the other water rights held by MLWU will be changed. The new points of diversion are meant to replace a ground water well that has been abandoned in the MLWU network. In conjunction with this application for transfer, MLWU sent a letter to the Department, asking to have the point of diversion associated with the abandoned well (NWSESE, Section 26, T07N, R35E) removed from all of its ground water rights. The point of diversion was removed, leaving 39 points of diversion on all of the MLWU ground water rights. With the addition of the two proposed points of diversion, there will be 41 authorized points of diversion on water right 31-371.

Authority to File:

The applicant, MLWU, is the owner of record for water right 31-371. According to Jefferson County taxlot data, MLWU owns the property where the new ground water wells (proposed points of diversion) will be drilled. The application was signed by Robert Harris, attorney representing MLWU.

Water Right Validity:

The water right is valid. It was decreed in 2002 and has been consistently used since that time period. Water right is exempt from forfeiture under Idaho Code 42-223(7).

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised statewide and was not protested. The Watermaster for Water District 110 was notified of the transfer and did not oppose its approval.

No transfer tool ESPAM analysis is required. Water right 31-371 was originally developed in the Holley Well Field, which is generally located in the SESE of Section 26, the SWSW of Section 25 and the NWNW of Section 36, T07N, R35E. The abandoned well is located in the Holley Well Field. The proposed points of diversion will pump water directly into the canal running from the Holley Well Field and are located less than two miles from the Holley Well Field. The proposed points of diversion are in adjacent model cells to the Holley Well Field.

Enlargement of Use:

No enlargement of use will result from this transfer's approval.
Rate, volume, nor irrigated acres are authorized to increase.

Conservation of Water Resources / Local Public Interest:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.