

MEMORANDUM

Date: June 15, 2015
To: Transfer 80085
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion to water rights 22-203 and 22-204C. The new diversion point is from the Teton River into a pond, where the water will be recharged to offset usage under permit 22-13888. The transfer also drops an unused point of diversion in the SESW of Section 13, T06N, R39E.

The nature of use was not changed to mitigation because recharging groundwater within the municipal service area falls within the scope of municipal water use. The full mitigation plan for Permit 22-13888 can be found in the digital records for that water right.

Authority to File:

The applicant, City of Rexburg, has the authority to file. The applicant is the owner of the water rights, according to the department's database. The applicant supplied a "Recharge Site Agreement" with Walters Ready Mix, allowing the applicant access to the new point of diversion and recharge area. Madison County taxlot data indicate that David Walters owns the property at the point of diversion. David Walters is the president of Walters Ready Mix, according to the Idaho Secretary of State's website.

Water Right Validity:

The water right was decreed in 2008 and is valid. Watermaster records indicate consistent diversion of the water right.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer does not authorize any additional rate to be diverted from the Teton River. The watermaster was notified of the transfer and did not object, provided totalizers were placed at the diversion points, and the water right holder notify him of the amounts and quantities of water to be diverted.

Enlargement of Use:

No enlargement of use will occur as a result of this transfer. This transfer adds a point of diversion so that mitigation for permit 22-13888 can take place. This transfer requires the points of diversion to maintain totalizing devices so that the progress of the mitigation activities can be adequately monitored.

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.