

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 77610 IN THE	)	REQUEST FOR
<u>NAME OF PARKINSON FARMS</u>	)	STAFF MEMORANDUM

On August 22, 2012, the Idaho Department of Water Resources (Department) issued a Preliminary Order Approving Transfer No. 77610 (Preliminary Order). Transfer application 77610 is a protested matter and resulted in a contested case hearing before the Department, held on May 17th and 18th, 2012. One of the protestants to the contested transfer application, Kirby Jensen, filed a petition with the Director of the Department on October 12, 2012, asking him to reconsider the Preliminary Order.

The Director reviewed the decision and found several deficiencies in the analysis applied by the hearing officer. In an order dated February 6, 2013, the Director remanded the contested case to the hearing officer to further develop the administrative record. One of the steps recommended by the Director to augment the record is to request a technical memorandum from Department staff.

Based on the order from the Director, the hearing officer hereby asks Department staff to prepare a technical memorandum addressing the following questions:

- 1. What is the hydrogeology of the Big Lost River aquifer and any aquifer subunits from approximately Moore, Idaho, downstream to a location south of Arco, Idaho, where the gradient of the aquifer suddenly steepens, and becomes part of the larger Snake River Plain Aquifer?**
- 2. Is the water in sub-aquifers of the Big Lost River aquifer the source of the “rising waters” in the Arco area, and, if not, what is the source of the rising waters?**
- 3. Is the water in the various sub-aquifer units comingling in the deepened Parkinson well because of the decreasing gradient with depth?**
- 4. What is the impact of pumping from the proposed point of diversion on each of the sub-aquifer units?**
- 5. What is the impact of pumping from the proposed point of diversion on rising water in the Big Lost River?**
- 6. What would be the impact on rising waters of pumping Parkinson’s water rights from the existing points of diversion?**

7. Over the last 20 years, what are the quantities of water diverted by Water District 34 and delivered for ground water recharge?

The staff memorandum should be provided to the hearing officer by April 30, 2013. Following submittal of the staff memorandum, the parties will be given an opportunity to augment the administrative record regarding any of the above factual issues and any additional factual issues related to questions of the hydrologic impacts of the proposed transfer. Department staff preparing the memorandum described above may be deposed. The parties may choose to augment the record by written documentation, or may request a hearing to augment the record. If a hearing is held to augment the record, Department staff will be available to testify, within reasonable limits.

Dated this 14th day of February, 2013.


James Cefalo
Water Resources Program Manager

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of February 2013, I mailed a true and correct copy of the foregoing REQUEST FOR STAFF MEMORANDUM to the person(s) listed below:



Judea Jones
Administrative Assistant

US MAIL

RE: Request for Staff Memorandum (Transfer No. 77610)

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