

MEMORANDUM

Date: August 11, 2011
To: Transfer 77384
From: bjordan
Re: Transfer Evaluation

This transfer proposes to add point(s) of diversion for water rights 22-7074, 22-7175, 22-7176, 22-7617, 22-7754 and 22-13790. The applicant is seeking to add the BYU-Idaho well as a point of diversion for their water rights. The applicant currently owns water right 22-13790 which was recently decreed in the SRBA and seeks to add this water right to all their wells including the BYU-Idaho well.

Transfer 76375 was recently approved by the department which added all municipal wells to five of the City of Rexburg's water rights. The applicant requested a time frame of 5 years to accomplish the change proposed under the transfer. Three new wells were proposed to be drilled under the transfer but have yet to be completed. The applicant did not ask for additional years to complete this transfer. Though the applicant will only get one year to complete the changes authorized under this transfer, they still will have additional time (little less than 5 years) to complete the changes made under transfer 76373.

Authority to File:

The applicant is the current owner of water right per IDWR record. The applicant does have an agreement to use the BYU-Idaho well as part of their municipal delivery system.

Validity:

Water rights 22-7074, 22-7175, 22-7176, 22-7617 and 22-13790 were decreed between 2007 and 2010. Water right 22-7754 is a licensed water right. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 100. Transfer 76375 model analysis results was used in analyzing the impacts to the ESPA reaches based on the changes made by this transfer. A different ESPA model approach was considered for Transfer 76375 because the ESPA model is not designed to model the complexity for how a municipal water system operates. Weighted centroids were established based on diversion amounts and spatial location of existing and proposed points of diversion. These weighted centroids ended up being in adjacent model cells, suggesting no model analysis is required. However an ESPA analysis was submitted by Rocky Mountain Environmental (consultants) and results triggered the need for mitigation. Diversion rate limitations were developed to limit the City of Rexburg's northern group of wells (4.43 cfs), southern group of wells (12.49 cfs), and proposed well #2 (6.68 cfs). These diversion rate limitations were established to keep points of diversions within adjacent model cells.

The same rate of diversion limitations to the northern group of wells and well #2 will apply. The addition of the BYU-Idaho well, which is located amongst the wells in the southern group, will authorize an additional 4.9 cfs for diversion. The southern group of wells will now be limited to 17.39 cfs. No mitigation required. The transfer was advertised and there are no protests.

Enlargement of Use:

No issues identified.

Local Public Interest:

No issues identified.

M E M O R A N D U M

Beneficial Use / Conservation of Water Resources:
No issues identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.