

MEMORANDUM

TO: Transfer No. 67055 & Amendment No. 69884 Files

FROM: Steve Lester 

DATE: October 27, 2006

RE: Evaluation of Sufficiency of Information Submitted

Transfer – includes 5 licenses (63-3271, 63-3445, 63-3487, 63-7025 and 63-8088) plus 3 beneficial use claims (63-30296, 63-30297 and 63-30298).

Amendment – permit 63-12296.

The Idaho Department of Corrections (IDOC) proposed changes to its water rights serving the prison complex south of Boise. The transfer and permit amendment applications originated in 1999. Previously amended versions were protested by United Water Idaho (UWI). The parties resolved the protest with a private agreement submitted to IDWR. The agreement does not include conditions subject to IDWR jurisdiction.

IDOC and IDWR worked together in recent months for approvals to be issued. Western Region allocation and adjudication staff met recently with IDOC to work through some remaining issues. Accordingly, IDOC amended both applications on October 11. Although additional legal notice and fees were not needed for this step, UWI was provided a comment period through October 25. Roger Dittus from UWI called Western Region on October 26 to report that UWI did not have concerns about the amended applications.

The recently amended applications propose these revisions:

1. List all wells as P/D for all rights instead of segregating irrigation from municipal wells (one system vs. two).
2. List all wells to 40-acre instead of 10-acre locations.
3. Amend the permit by retaining irrigation use but changing 4.23 cfs from domestic to municipal (instead of changing all 5.00 cfs to municipal).

The applications can be approved as outlined in this memo. The applicant will have an opportunity to respond to the approvals. Assuming no significant changes result from that process, IDWR can prepare SRBA recommendations based on the transfer approval (the permit is beyond SRBA scope). SRBA recommendations need to be completed by November 17 to be included in the Basin 63 Part III Director's Report.

Everything is on track to successfully meet the SRBA deadline.