

MEMO

TO: File

FROM: James Cefalo

DATE: January 20, 2011

RE: Jefferson County, Permit 25-14281

The Department recently approved permit 25-14281 in the name of Jefferson County Parks and Recreation. The permit authorizes the diversion of ground water for commercial use at Rigby Lake. A portion of the water right will be used to supply water to restrooms and picnic areas around the lake. The application states that the waste water will be collected and hauled to the newly constructed Rigby water treatment facility. Effluent from the water treatment facility is discharged into the Dry Bed of the Snake River.

Generally, non-consumptive water rights do not require mitigation. However, in cases where water is returned to a different source or where water is returned to the same source at a distance from the point of diversion, mitigation may be required. In this case, ground water is being used at Rigby Lake and returned to a surface source, the Dry Bed of the Snake River.

We have determined that mitigation is not required in this specific case. The water table near Rigby Lake is very high. In fact, the well to be used under this water right is only 80 feet deep. The Dry Bed of the Snake River runs right by Rigby Lake. The ground water in and around the lake is closely tied to the water flowing in the Dry Bed. For purposes of this application, it is acceptable for Jefferson County to return the treated waste water to the Dry Bed.