

MEMORANDUM

Date: December 30, 2010
To: Transfer 66703
From: Nick Van Dyke
Re: Review Memo; Amended Application for Transfer 66703

Narrative: As originally filed in January 1998, this transfer application proposed the conversion of 14 acres of Right 63-230L for aesthetic, aesthetic storage, and also mitigation for consumptive uses under Application for Permit 63-12425. Both the transfer and permit were filed to cover the development of two ponds and a water amenity stream and the Blue Cross Corporate Site near the intersection of Eagle and Franklin Roads in Meridian (see Attachment A of the original transfer filing for details). In general, the aesthetic and aesthetic storage would fill/maintain the ponds and provide irrigation when surface water was available; the mitigation would cover the inflow of groundwater under the permit to maintain the ponds and irrigate when canal deliveries under 63-230L were off. However the ponds were constructed differently requiring an amended transfer application filing.

As constructed, the upper pond is lined; the lower pond, though not lined, functions as a storm water pond where water levels in the pond fluctuate seasonally with the water table. Because there is no groundwater inflow into the system the permit is unnecessary. A withdrawal of application for permit 63-12425 was received November 15, 2010. Following the calculations from Attachment 8a of the amended transfer application, 8 acres need to be dried to cover the filling and annual evaporation from both ponds and the amenity stream. No seepage losses to account for. Total transferred amounts are 0.06 cfs and 22.7 acre-feet.

Authority to File: David Vail signed the application, who is president of Settlers Irrigation District. Application was submitted by SPF Water Engineering who is the applicant's representative.

Water Right Validity: Right 63-230L was partially decreed January 30th, 2009. Forfeiture is not an issue.

Injury to Other Water Rights: None anticipated. There is no change in point of diversion, place of use, or period of use. The change in nature of use will not alter the manner in which the water is diverted to the Blue Cross site.

Enlargement of Use: None anticipated. Change in nature of use calculations check out - irrigation use will be reduced by the amounts necessary to offset depletions resulting from the new uses.

Local Public Interest: None identified. The ponds have been in place for some time.

Beneficial Use/Conservation of Water Resources: The proposed water uses are recognized as beneficial uses of water.

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.