

MEMORANDUM

TO: Transfer No. 76176 File

FROM: Vicky Music

DATE: February 11, 2010

RE: Evaluation of Sufficiency of Information Submitted

The City of Wilder filed this transfer to add PODs to its municipal right nos. 63-8164, 63-11253 and 63-12067. Presently, each right has one POD for a total of 3 PODs [different wells] but the City needs greater flexibility for water delivery. The transfer also proposes a new well, so the 3 rights will have 4 common PODs.

The site is the service area for the City of Wilder, located in Canyon County, 5 miles northeast of Caldwell, ID and about 7 miles east of the Oregon state border.

The contact person for the applicant is consultant, Matt Uranga, Uranga Hydrologic.

Deviations from Transfer Policy Standards

The maps provided are confusing. There are 2 maps labeled attachments 7A. Both maps are labeled "POINT OF DIVERSION MAP – 7a". The first map legend appears to identify the existing PODs, however, there is a green dot on the map with no explanation in the legend. It is not the location of any of the PODs. The second map legend states proposed points of diversion but labels existing PODs and there is an arrow to the QQ where the new well is proposed. In any case, we know where the proposed and existing PODs are.

Neither map shows the POU. This is okay because the transfer application, Part 3 states that the POU is not needed unless there are changes. Right no. 63-8164 states the POU is within the service area of the City of Wilder. The licensed rights state the POU is within the city limits of Wilder and I cannot find a shape in ArcMap for these 2 licensed rights. The language in the licensed rights conditions predates the digital boundary statute for large POUs and current service area policy and will be updated.

There are no other deficiencies or deviations in the application.

Summary of Information Submitted

Authority to File:

The applicant is the owner of record in the IDWR database.

Water Right Validity:

Right 63-8164 is valid because the partial decree was issued on 4/3/2009, within the past five year period.

Right nos. 63-11253 and 63-12067 are presumed to be valid. They were not claimed in the SRBA because these rights were developed after 1987 and are licensed. Right 63-11253 was developed in 1990 and 63-12067 was developed in 1993. Recent beneficial use was confirmed via aerial photographs of the City of Wilder from the years 2000, 2004 and 2009.

Injury to Other Water Rights:

No injury is expected because there is no change to the way the rights are exercised. This transfer is only to add PODs with no increase in quantity.

Enlargement of Use:

Enlargement is not proposed in this transfer nor is it expected.

Local Public Interest:

There are no local public interest conflicts known or expected as a result of this transfer.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information/Analysis and Discussion

The applicant did not provide a POU map. IDWR considers the POU a “large POU” and has a service area map for the City of Wilder. No additional information is required from the applicant. Though the POD maps are unclear, IDWR has the information regarding the location of the existing wells in its files. The current procedure is to not describe the large POU with a PLS description but to include an illustrative map with the transfer approval.

There is no further IDWR analysis needed. Watermaster comments are not required because the source of these rights is ground water.

Data entry affected the correct record. The partial decree for 63-8164 was issued & results migrated to wr records. SRBA status was described earlier in this memo. There are no mitigation or water bank issues here.

Other overlapping rights at existing POU are 63-11333 in the name of the Housing Authority of the City of Wilder for lawn irrigation within a development that is labeled on the topo map “labor camp”. The City also has a permit no. 63-33311 for municipal use which will be both a POD and a POU overlap. The POD will be the well proposed in this transfer. There is a second application filed in January 2010, 63-33332, for irrigation associated with domestic use. This application was submitted to replace disallowed SRBA claim 63-21147.

Summary

Condition 046 is required because a new well is proposed.
The large and digital place of use conditions 124 and 180 were included.

Condition 210 was modified for these rights which are now part of a common system. This condition will provide priority information for any injury analysis which may be required in the future.

Here is the 210 conditions used for 63-8164:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right in 1975 from the well aka the Labor Camp Well located in T4N, R5W, S23, SWNW.

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.