

M E M O R A N D U M

Date: January 14, 2010
To: Transfer 76126
From: bjordan
Re: Transfer Evaluation

This transfer proposes to add points of diversion for water rights 22-2217 and 22-7269. The City of Newdale is required to provide water that meets EPA Standards. Currently the City's water exceeds both arsenic and floride EPA Maximum Contaminant Levels and must drill a cold water well to reduce the arsenic and floride level to drinking water standards. This transfer will add points of diversion to water rights 22-2217 and 22-7269 which will allow the City of Newdale to use both water rights at each well, including the proposed new well.

The applicant has proposed that the new well will divert 1.5 cfs (675 gpm), 12 hrs per day for 365 days, which computes to be 543 af per annum.

Authority to File:

Applicants are the current owner of water rights per IDWR record. Winston R. Dyer who is the City Engineer for the applicant signed the application. The proposed new point of diversion will be located in the SWNW of 06N, 42E, Section 7 which is currently owned by Norvue Farms. The applicant provided a Warranty Deed-Purchase Agreement where they are purchasing .28 acres in the SWNW of 06N, 42E, Section 7 from Norvue Farms.

Water Right Validity:

Water rights has been recommended to the SRBA court. Forfeiture not an issue.

Injury to Other Water Rights:

Points of Diversion are not within a Water District. No evidence of injury.
Transfer application was advertised and there are no protests.

Enlargement of Use:

No issue identified

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue 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.