

MEMORANDUM

Date: October 26, 2009
To: Transfer 75891File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add existing wells as additional authorized points of diversion to the City of Wendell groundwater municipal rights, 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 allowing any of the rights to be diverted from any of four existing wells. The points of diversion are located within the City of Wendell Municipal service area, the ESPA and Water District 130. All four wells are located within adjacent groundwater model cells so no groundwater model analysis is required. The four water rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277, involved with the transfer allow for the diversion of up to 8.7 cfs. The transfer identifies the possibility of forfeiture of water right 36-8421 associated with the Monroc well. The Monroc well has had some mechanical problems and has been off line for several years. Approval of this transfer would allow water right 36-8421 to be diverted from the three other existing wells in addition to the Monroc well. This potential forfeiture matter was discussed with state office personnel and supervisors and it was agreed upon that the transfer could be processed and approved as proposed and that forfeiture of the municipal right should not be an issue. When the Monroc well is repaired rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 would be available for use from the well.

- **Authority to File:**
The applicant is listed as the current owner of the rights being transferred according to IDWR records
- **Water Right Validity:**
Water Rights 36-7722, 36-11276, and 36-11277 were decreed as valid Water Rights in the SRBA in 1998, Water Right 36-8421 was licensed in 2002 and Water Right 36-8764 was licensed in 2001.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use 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.