

POLICY QUESTIONS

10/30/08 NOTES



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SL

OWNERSHIP CHANGE DOCUMENTS IN TRANSFERS

Many Nielsen transfers for splits, some approved with ownership changes per sales agreements, some agreements sloppy, some better.

Most recent - T73887, Western thought should not continue this practice, Homan concurred, SO did not, transfer approved with ownership change – “preliminary order rebuttal theory.”

Records Memo #9 issued 8/08 – sales agreement not sufficient for ownership change.

T73887 issued 9/08 despite newest policy.

“Preliminary order rebuttal theory” puts staff in guessing game – what’s ok, not ok.

Suggest – use Records Memo #9 & Transfer Memo #24 standards.

GW RECHARGE TRANSFERS FOR PONDS

Typically new permit for aesthetic storage capacity, transfer for 1:1 irrigation swap from surface water.

Sometimes transfer with “gw recharge” where diversion volume specified in b.u. and in conditions.

Interpreted as ditch water into shallow gw pond does somewhat recharge aquifer or at least decrease any additional shallow gw needed to keep pond full (“indirect recharge”).

Prior example – Eagle River permit with Ballentyne Ditch & New Union Ditch transfers, example in draft memo on website for transfer workshop.

Pending example #1 – Orchards at Eagle, same as above through Western review & legal notice, SO said approvals need to be different: must document gw recharge etc., if cannot, use “aesthetic” (or similar matching b.u. term in permit) and list consumptive volume in transfer for n/u change.

Pending example #2 – ID Parks & Rec, Eagle Island State Park, permit for aesthetic storage, Ballentyne Ditch transfer for gw recharge etc. as in Eagle River project. Recently met with Ron Howerton & advised Parks to file this way.

- T. 69327 SEE NEXT PG -

Suggest - practical rule of thumb, use precedents, "1:1 swap for gw recharge w/ diversion volume flagged" (literally would put more ditch water in pond than just evap). Avoid multiple approvals for same scenarios for same delivery organization but with different b.u. terms, different volume limits & different conditions.



TRANSFER LOW TEMP WELL TO COLD WELL, BOISE FRONT

Boise Parks & Rec 2001 transfer, Gambel Well, 87 d. F from Camels Back to cold well at Warm Springs Golf Course, those gw not considered separate sources by dept. decisions at that time (officially changed 10/02 with Transfer Memo #24).

Transfer for supplemental irrigation at golf course, transfer stayed in SRBA, now ok.

Prior discussion – SL with JP & GS – hung up on separate sources issues, show sources somehow linked.

Same well as 63-9661 – pending license exam issues but not about well.

Same well also in 63-10022 Quarry View Park & 63-10241 at/near Botanical Gardens.

63-9661:

- Originally low temp well 136 d F. near golf course
- 1996 amendment approved to add WSGC cold well
- Conditional protest withdrawal for amendment – well collapsed from 400 to 192 ft., don't deepen
- 2003 order, ok delete low temp well, just use cold well, finish development & file proof (GWMA moratorium waiver)
- Order concluded cold well usage would not compromise low temp resource.

Suggest - good enough for 63-9661 to finish development of GWMA moratorium permit despite 2002 Transfer Memo #24 policy about separate gw sources, good enough for supplemental irrigation at golf course, approve 2001 transfer.

What about more permits/transfers for golf course well? Issues with gw less than 200 ft. deep & upstream from Star (should not add this problem to 2001 transfer application).

Add d'base comment to 63-9661, 63-10022 & 63-10241: caution about deepening golf course well, conditional protest withdrawal 63-9661?

} good =



Result - no, still separate sources issues
" shallow g.w. attrib. to river etc.