

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 5/19/2004

RE: CITY OF CAMBRIDGE TRANSFER NO 73774

The transfer proposes to include all three of City of Cambridge's wells on each of their water rights. Two of the wells are located in the SWSW S2 and the third well is in the SESE S3 for a total of 3 wells. The place of use will be the city service area. Both S2 and S3 are located in T14N R3W, Washington County.

AUTHORITY TO FILE:

The applicant is the owner of record, so no ownership documentation is necessary.

WATER RIGHT VALIDITY:

This application has been recommended to the Snake River Basin Adjudication (SRBA) courts without objection. Any question of the validity of these rights has been resolved through the SRBA process.

INJURY TO OTHER WATER RIGHTS:

There are already existing municipal wells located at the proposed well sites. I don't anticipate any injury from this transfer proposal.

ENLARGEMENT OF USE:

No additional rate or volume is being requested, so enlargement of the right should not be an issue.

LOCAL PUBLIC INTEREST:

There is nothing to suggest that this application is not within the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

Applicant proposed beneficial use consistent with irrigation standards for the area.

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

NARATIVE

The city was in dire need of a backup well earlier this year requiring a transfer (see transfer 71246). The transfer process was expedited, but it delayed their ability to do necessary repair and work their existing wells. The city needs the ability to move their water rights freely between their wells to allow for maintenance and repair. This transfer will allow them divert any of the water rights from any of the three existing wells.

This transfer was originally held until the recommendations could be made in the SRBA and the objection period had been completed. The diversion rates listed on the SRBA claims were used to fill out the transfer. During the SRBA recommendation process the diversion rates were reduced to the amount that could be proven to be used at the time of each filing. Therefore, the front page of the transfer and the recommended amounts do not match. The Regional Supervisor and I agreed that it was not necessary to require the applicant to re-work the transfer application. The diversion rates can be reduced as part of the administrative processing of the transfer. The diversion rates for 67-10970 should be reduced to 0.22 cfs and 67-14512 should be reduced to 0.37 cfs for a total of 3.59 cfs.

The city has surface water rights from Rush Creek for irrigation purposes, but these rights should not affect this transfer. A transfer was filed on the other ground water right 67-2306 earlier this year without protest or delay. The same conditions should be included on these water rights.

CONDITIONS AND SUGGESTIONS

This transfer seems acceptable as listed on the front page of the transfer with the inclusion of the conditions on the draft approval.