

MEMORANDUM

TO: Transfer No. 74257 File

FROM: Steve Lester 

DATE: November 26, 2007

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add a new well to the municipal system for Mtn. Home Air Force Base (MHAFB) to alleviate water quality and supply problems. The application also corrects P/D errors as follows:

- all rights, existing well in NWSE S. 21 instead of SWSE
- 61-11940, existing wells in SENW and NESW S. 27 instead of SWNE and SWNW.

Contact person for the applicant is Tyler Smith at CH2M Hill located in the Water Center.

Deviations from Transfer Policy Standards – Expedited Processing

The application needed to be expedited for a quick outcome to help MHAFB in its endeavor to add a new well as soon as possible. The new well is needed to deal with water quality problems while still providing a full supply of water. Ideally the regional office would have at least completed data entry of the application and a brief review memo followed by a discussion of the proposal with State Office staff. However, time did not allow that as we raced to meet deadlines.

This is a very simple transfer – no harm was done by deviating from expected parallel processing steps.

Summary of Information Submitted

Authority to File:

MHAFB holds five decreed rights for municipal use. All five were included in the application. The applicant is the owner of record. Some discrepancy occurred between name/address of record and applicant information. This is acceptable and was covered by listing owner/address of record under “current owner” and applicant/address under “present owner” with a “yes” correspondence flag for both. **All mailings for this transfer should therefore go to two Air Force addresses plus to the consultant.**

Water Right Validity:

The rights are presumed to be valid based on partial decrees issued on July 17, 2002. The application was filed this October 3 shortly after the end of the five-year period following the decrees. The minor gap between July 17 and October 3 is insignificant with respect to forfeiture.

Injury to Other Water Rights:

No injury is found. This is reinforced by the lack of protests and lack of any comments from the Mtn. Home GWMA Advisory Committee (sent that group a comment letter).

Enlargement of Use:

Enlargement should not occur under this proposal. Note the self-imposed limit of 4.00 cfs for the proposed well (application remarks, fee paid, added condition of approval for that).

Local Public Interest:

The application serves the local public interest to provide an uninterrupted supply of clean water to the residents of the base.

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.

Discussion

Data entry affected the correct partial decree records.

Application pages 3 and 4 apply to all rights in the application.

Application page 3, item A9 about other rights – no response. This is acceptable based on the fact that no other municipal rights for MHAFFB exist.

Application page 4, item 10 about forfeiture – response reinforces presumption about validity of rights.

Attachment A lists all the municipal wells for the base. This is portrayed on Attachment C2 as follows: blue dots for existing wells in use, red dots for existing wells not in service at this time but capable of being used and thus retained as P/Ds¹, and the purple dot for

¹ Those wells are not abandoned, just not in service. Typically we do not delete usable but idled P/Ds from records. Allow the right holder the flexibility of bringing those wells back online without having to go through a time-consuming process with IDWR. This serves the broader interest of using a municipal right.

the proposed well in NWNW Section 22. Disregard the blue dot in Section 32 – that is a well for *domestic* right 61-7579, not a municipal well.

The transfer also corrects P/D errors (typos?) already mentioned in this memo. The file histories support these corrections.

Summary

The application was not protested and can be approved as noted in the draft approval.

Remember to send the decision to the current and present owner addresses in addition to the consultant.