

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 8/2/2004

**RE: IDAHO DEPARTMENT OF PARKS AND RECREATION TRANSFER,
RIGHT 63-4724**

The transfer proposes to retire the industrial use for water right 63-4724 and redistribute this water from this right to existing uses associated with the office building, pond, and irrigation uses associated with the main headquarters for Idaho Parks and Recreation. The place of use is located in W ½ of the SW of S28 and the SESE of S29 in T3N R3E, Ada County.

AUTHORITY TO FILE:

The applicant is the owner of record so further ownership documentation is not needed.

WATER RIGHT VALIDITY:

This water right has been reviewed and recommended by Craig Saxton of our adjudication staff. The applicant agrees with the recommendation.

INJURY TO OTHER WATER RIGHTS:

The use associated with this transfer has been in use for several years. This transfer is an attempt to straighten out their water rights, and get them in order.

ENLARGEMENT OF USE:

No increase in water use is proposed, and this transfer will actually clarify the existing water rights and reduce confusion.

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

Our Adjudication staff has recommended this water right. The applicant has been working on these water rights since 1993 in order to cover the uses that have been in place at this site with this existing water right. This transfer is to change the uses of the adjudication recommendation to what is currently being done.

SCANNED

AUG 13 2004

The commercial use and domestic use listed on the recommended water right will be combined into a single commercial use with this transfer. The new commercial use is for the main office building for Department of Parks and Recreation. This will be acceptable, because the new commercial use will be limited to 2,500 gallons per day. The annual volume for the commercial use will be limited to 2.2 afa per the decreed volumes. The recommendation did not use a volume for the homes, but the standard in-house use is 0.6 afa for each home or 1.2 afa for both homes. The in-house volume of 1.2 afa and the existing domestic commercial volume or 1.0 afa on the recommendation would allow a volume of 2.2 afa for the new commercial use, which is less than the domestic exemption of 2,500 gallons per day, 365 days a year, or 2.8 afa.

The industrial use recommended would be divided into a storage component of 1.8 afa and an irrigation use for 3.1 acres. The initial fill of the existing pond is covered under water right 63-12046. The storage component listed in this transfer will cover the evaporative loss from the pond. The remainder of the industrial use will be converted to irrigation of berms within the compound. The compound is 17 acres in total area, but the actual irrigation requested will only be 3.1 acres. The berms will be used to reduce traffic noise, and it hasn't been determined at this time where exactly the berms will be located to best suit their needs. Therefore, they have requested irrigation of 3.1 acres within a 17-acre permissible place of use.

Water right 63-12046 overlaps this place of use. This permit was filed to cover the commercial use of the office building for the Department of Parks of Recreation and to provide a pond for fire protection. The fire protection pond only allows a one-time fill, and doesn't take into account evaporation. This transfer will cover the evaporation component from the pond allowing the pond to remain full throughout the year.

Water Right 63-12046 has been used to supply water to the office building and a small green belt rest area at the Department of Parks and Recreation compound. The applicant has sent a letter asking the domestic use under water right 63-12046 be listed for the rest area only. This transfer will take care of all of the needs for the office building. This is a reasonable request, since they are actually reducing the amount of water used under 63-12046. An initial estimate of the rest area water use is approximately 900 gpd. The domestic/commercial use listed on 63-12046 was filed under a recommendation from IDWR staff to insure that the office building and rest area had a water right, since it was unclear whether or not the Adjudication Staff could recommend the commercial/domestic use under 63-4724. No additional water will be used, and this correction of the condition of 63-12046 will only clarify where the water will be used for each water right and keep the uses separate.

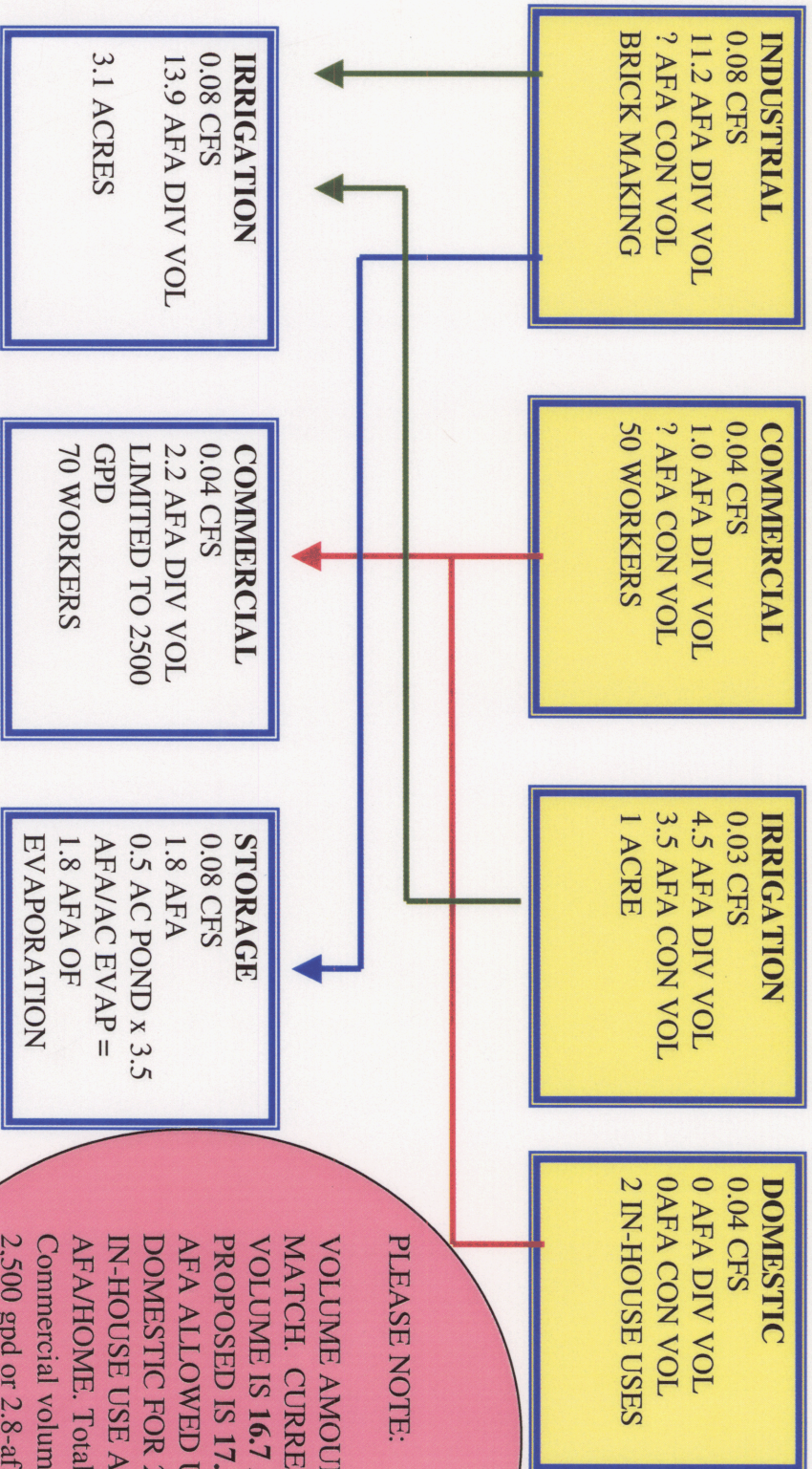
An application for permit, 63-12114, was filed to cover irrigation and irrigation storage. This application has been placed in the Basin 63 hold, and will not be processed until the processing hold is lifted. There is mention about this application in the applicant remarks, but it has never been used because it would take approximately 45 acre-feet of water for mitigation to allow processing of this application to continue.

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.

TRANSFER FOR PARKS AND RECREATION COMPARISON SHEET

CURRENT MAX RATE 0.08 CFS / 16.7 AFA, MAX ACRES 1



REQUESTED RATE 0.08 CFS / 17.2, 3.1 acres

ONE TIME FILLING OF POND IS COVERED UNDER PERMIT 63-12046.