

Peppersack, Jeff

From: Lester, Steve
Sent: Friday, May 20, 2005 4:13 PM
To: Peppersack, Jeff
Subject: United Water Transfer Application

Jeff:

United Water just filed a simple P/D transfer to 1 license. They propose to add an existing well to the license, apparently to address some distribution problems within their network.

The municipal right to be changed is currently diverted under the "Cassia #2" well. A different UW municipal right is diverted under the "Fisk" well about 2 miles NW of Cassia #2.

The transfer proposes that the right now using Cassia #2 also be allowed to use Fisk. The Fisk right is not proposed for change (by adding Cassia #2).

Both rights are post-1987 so SRBA factors are n/a.

However, all UW rights are involved with IMAP. IMAP is temporarily on hold pending SRBA determinations. The new transfer being proposed would not affect IMAP since all UW wells are proposed as alternate P/Ds for all UW ground water rights. Cassia #2 and Fisk are listed in the comprehensive IMAP well list (IMAP Tab N, Page 1).

The purpose of this email is to seek agreement with SO, specifically with you and Gary, prior to processing the transfer. The application is quite routine and without complication except for IMAP considerations. I discussed this with John Westra and we agreed to seek SO concurrence on the following points:

- 1) new transfer should be processed as simple P/D change to 1 right now using Cassia #2 well. Right using Fisk well does not need to be changed to include Cassia #2 well. IDWR has previously sanctioned this approach.
- 2) IMAP protestants should not be notified by comment letter regarding this new transfer but IDEQ should be. No value is found in sending a comment letter to the lengthy IMAP mailing list for this routine tweak of a single right.
- 3) We should seek IMAP hearing officer comments/concurrence before proceeding in case this approach will upset things in the IMAP world.

This appears to be a very routine request by UW. I'm surprised we have not had similar ones since IMAP was filed several years ago. It's possible some of IMAP parties will come unglued over this but doubtful. Because of that slim possibility, the department is well served to arrive at a consensus before processing the new transfer. Please consult with Gary and then comment on the above. If everything sounds ok with both of you, we will process the transfer after soliciting and receiving Peter's comments.

Thanks.

Steve

p.s. we are in no hurry but maybe the applicant is