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Jul 18, 2025

DEPARTMENT OF
WATER RESOURCES

GIVENS PURSLEY LLP
Attorneys and Counselors at Law

MEMORANDUM

TO: Cody Parker, Water Rights Supervisor, Western Regional Office, IDWR
Sara M. Ajeti, Deputy Attorney General

FROM: Christopher H. Meyer 

RE: Proposed revision to the "redefinition condition" in IMAP Transfer No. 89499

DATE: July 18, 2025

This is my second follow-up memo following our discussion at IDWR HQ on 6/12/2025 regarding IDWR's proposed approval of the IMAP transfers. The first was my 7/18/2025 memo addressing the "anti-speculation condition."

This memo addresses the "redefinition condition." This condition appears, for example, as condition #14 in right No. 63-11990. It is also Standard Condition 205.

IDWR's version

As currently proposed by IDWR (see draft approvals emailed to Veolia on 6/9/2025), the condition reads:

The approval of Transfer 89499 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Veolia's only concern with IDWR's version is that it is not true that every element of the water right has been redefined.

Veolia's proposed revision to the "short version"

Veolia proposes a one-word fix:

The approval of Transfer 89499 ~~redefines~~ defines all of the elements of this water right, and the new use of water

authorized by this approval shall constitute the full extent of the right.

Purpose of revision

IDWR's Staff Memo of 1/14/2019 explains that Standard Condition 205 is only added to water rights that change the diversion rate, volume, or nature of use. The condition would not be added to transfers that merely add APODs and RAFN language. As we understand it, the purpose of the condition is to confirm that the changes to other elements of the right were intentional and that the resulting water right description is definitive.

Veolia's one-word revision to the standard condition is consistent with this purpose. Its sole purpose is to avoid any chance of confusion over a condition that implies that every element has been changed.

As we have said before, this is not a big deal. Just a suggestion.