

## MEMORANDUM

**Date:** September 25, 2019  
**To:** Transfer 83270  
**From:** Brian Normandeau  
**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion for water right 35-2917A.

### Authority to File:

The application was signed by Neil and Marita Poulson; they are the current water right owners per IDWR records, and owners of the land at the current place of use per Power County parcel data. The point of diversion is located on property owned by Ruff Times Management LLC, and a portion of the proposed place of use is owned by Ruff Times Lands LLLP. The other portion of the proposed place of use is owned by the applicants. Doug Ruff is the representative for this transfer. He is registered with Idaho Secretary of State as the manager for Ruff Times Management LLC, and Ruff Times Management LLC is registered as the general partner for Ruff Times Lands LLLP.

### Water Right Validity:

The water right involved in this transfer was decreed 4/2/2012. There is no WMIS data to determine the historical use of this water right. It is apparent that the lands covered by this water right have been irrigated, but it is unknown how much of the water was furnished by this water right versus Aberdeen Springfield Canal Co water associated with the lands. The application does state that the water right has been used in dry years when the canal water was not being delivered.

### Injury to Other Water Rights:

The proposed point of diversion is being moved to an existing well within an adjacent ESPA Model Cell. There is an existing domestic well near the proposed point of diversion, but it belongs to one of the parties involved with the transfer. The application was protested; however, the protests were withdrawn. No issues identified.

### Enlargement of Use:

There is no WMIS data to determine the historical use of this water right. Both the current place of use and proposed place of use are covered by shares from Aberdeen Springfield Canal Co. Testimonial in the application states that the ground water right is only used to supplement the canal shares. The transfer does not result in an increase to diversion rate, volume or irrigated acres authorized by the right. The current place of use will continue to be irrigated with surface water only. Ground water right is being moved from a stacked position to a stacked position with Aberdeen Springfield Canal Co shares.

### Local Public Interest:

No Issues identified.

### Beneficial Use/Conservation of Water Resources:

No Issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.