

MEMORANDUM

TO: Transfer No. 80459
FROM: Rachel Sommer
DATE: November 22, 2016
RE: Evaluation of Application

Summary of Application Proposal

The following proposal is to be met following a transfer approval in the name of SunRidge Dairy LLC. The purpose of this transfer is to add an eighth point of diversion to seven water rights with an integrated system consisting of seven wells.

Location of Application Proposal

The proposal is located between Dry Lake Rd and Lynwood Rd, lying north of Big Foot Rd approximately 1.5 miles East of Rim Rd. in Nampa Id.

Summary of Information Submitted

Authority to File:

The property and water rights reflect ownership of SunRidge Dairy LLC.

Water Right Validity:

1. The rights within this transfer were decreed in the SRBA as follows:
63-2825, 63-2949, 63-3135, 63-3260 and 63-3331 were decreed on 2/6/09; 63-31477 was decreed on 4/29/09; 63-32843 was decreed on 7/14/09.
2. Rights presumed valid; beneficial use confirmed via imagery from 2011, 2013 and 2015 aerial imagery.
3. Please note; action may be required from the water right holder to correct the commercial and stockwater place of use under water right 63-3135. The proposal map depicts the uses as being located in the NENW and does not include the NWNW in Section 8 of Township 01 north, Range 02 west. Right 63-3135 does not authorize commercial or stockwater use in the NENW, rather authorizes the uses in the NWNW of said location. The shape has been corrected to accurately represent the place of use described on the water right. A transfer must be submitted to change the place of use if the operation will place the water user out of compliance. If the transfer is approved, this matter will be addressed in the transfer approval cover letter.

Injury to Other Water Rights:

No injury to other water rights should occur through this transfer as long as the right holder abides by the amount of water and combined use limitations for each right in this transfer.

Enlargement of Use:

No enlargement should occur under the proposed transfer application. The application proposes to add a diversion point; no proposal is being sought to change any uses under the above mentioned rights. Enlargement is not a concern when adding a new well to the system if action is taken to ensure existing combined use limitations prior to the transfer filing are maintained on any transfer approval issued.

Previous transfer nos. 78512 & 78514 were reviewed during processing of this transfer to ensure existing combined use limits were correctly data entered and appeared on each water right via condition(s) of this draft transfer approval. The draft transfer approvals includes combined use limitations recognized as existing for groundwater water rights proposed for transfer filing 80459, but mistakenly left off of certain rights in the previous transfer approvals. One combined limit on transfer approval 78514 states rights 2-2194A, 2-10490, 2-10508, 63-2949, 63-3134B and 63-31477 when combined are limited to a volume of 1966.5 af. Right 2-2194A correctly describes this combined limit, however, right 2-10508 references right 63-3134 rather than 63-3134B. Right 63-3134 is an inactive right. Therefore, the combined right data entry for this limit only references 63-3134B.

Overlapping POU/POD:

POU overlap – Rights 2-10185, 2-10490 and 2-10491 (surface water) have overlapping irrigation uses with the right(s) in this transfer.

POD overlap – Right 63-3134B is referenced in a combined use limit with some of the rights in this transfer; however, it appears this right diverts water from a different point of diversion to a different place of use than the rights in this transfer. Right 63-3134B is not included in the transfer filing nor will it be added as an associated right, because it is a separate system. Combined use limit data entry will be used to recognize applicable combined use limits of right 63-3134B with rights in this transfer.

Local Public Interest:

It is within the local public interest to allow property owners to develop their property as long as their application is processed without issues.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Summary of Application Approval / Denial

The application is consistent with criteria of I. C. § 42-222 and should be processed. Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.