

M E M O R A N D U M

Date: April 1, 2014
To: Transfer 79225 File
From: Nathan Erickson
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to move a point of diversion and adjust the place of use on a dairy owned by Peter Grush (water rights 43-2580B, 43-13206, 43-13209 and 43-13540). The new well will be located approximately 5 miles south of the City of Malta. The new well will replace a point of diversion on the water rights that was never drilled from a previous transfer. The water rights have a total flow rate of 1.75 cfs and annual volume of 316.8 af. The place of use is being adjusted to represent the current commercial and stock water uses. Water rights are located within the Raft River Critical Ground Water Management Area; it is recommended that this transfer be processed with a public notice and protest period.

There was a difference in volume for the combined use limit on the water rights; the condition stated that the rights were limited to 317.8 af, however the total volume of all four water rights is only 316.8 af. A review of the water rights shows that in a previous transfer (74403) the draft transfer had listed 316.8 af, however when it was approved the amount was changed to 317.8 af in the conditions and combine use limits table. There was also a combine use limit for three of the four water rights listed in the combine use table but not listed as a condition of the water rights. The combine use limit was only the additive amount and was not limiting. It is recommended that the water rights have one combine use limit condition that will equal the total amount of the four water rights, 1.75 cfs and 316.8 af.

- **Authority to File:**
The water right is currently in the name of Peter and Sylvia Grush. Application was signed by Kallan Rex who has limited power of attorney for water rights owned by Peter and Sylvia Grush.
- **Water Right Validity:**
Water rights 43-2580, 43-13209 and 43-13540 were decreed in the SRBA on 6/28/2002 and water right 43-13206 was decreed on 10/23/2001. Recent aerial and satellite imagery indicate the property involved with this transfer appears to be used for a dairy.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Located in the Raft River Critical Ground Water Management Area, transfer should be advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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.

Transfer 79225 combine use table

Basin	Sequence	Suffix	RightID	Priority Date	Diversion Rate	Water Use Lis	Volume
43	2580	B	615949	7/13/1964	0.200	COMMERCIAL	40.0
43	13206		615950	7/13/1964	0.100	COMMERCIAL	15.0
43	13209		615951	7/13/1964	1.370	COMMERCIAL	206.1
43	13540		615946	8/26/1953	0.080	COMMERCIAL	55.7
Total =					1.750		316.8

1.75 cfs
317.8 af

1.67 cfs
261.1 af

ADDITIVE
CONDITION...
BUT ADDS 1 AF
MORE THAN WR'S
ADD UP TO.
SHOULD BE

316.8 AF

NOT NEEDED
JUST ADDITIVE