

MEMORANDUM

Date: September 6, 2012
To: Exchange 78125 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for Exchange proposes changing the authorized point of diversion for a 1.9 cfs water right, used to irrigate 65 acres, from Thompson Creek to an existing point of diversion on Loving Creek. The currently authorized Thompson Creek diversion is located approximately 5.9 miles east & 0.16 miles north of the intersection of HWY's 75 & 20 and the Loving Creek diversion is located approximately 6.2 miles east & 0.14 miles south of the same intersection. The proposed change will allow the current owner to utilize an established pump used for rediversion of injected groundwater from Loving Creek developed under permit 37-7810. The well providing the groundwater under permit 37-7810 is owned by another party that intends to only use it to supplement surface water irrigation and continued injection of the ground water into loving creek is questionable. Exchanging the POD will provide irrigation water at the developed pump station and help offset the potential loss of ground water.

- **Authority to File:**
IDWR records indicate the applicant currently owns the water right and lands associated with this right.
- **Water Right Validity:**
Water right 37-354 was decreed in the SRBA on 9/24/2010. Irrigated acres are visible in 2011 aerial imagery and 2010 satellite imagery.
- **Injury to Other Water Rights:**
None anticipated. Application is subject to public notice and potential protest.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application is subject to public notice and potential protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.

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.