

MEMORANDUM

Date: May 22, 2012
To: Transfer 77513 File – Donald & Bonnie Pica Trust
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to create a 28.9 acre permissible place for better irrigation practices of three surface water rights, two from Billingsley Creek (36-66A and 36-66B) and another (36-10169) from waste water. Note that the waste water right, 36-10169, is for the use of waste water from right 36-66B. The surface water rights currently authorize a combined diversion of 0.85 cfs and the irrigation of 28.9 acres. There will be no change in the points of diversions for these rights. The approximate location of the proposed permissible place of use 0.35-0.7 miles north and 0.1-0.4 miles west of the City of Hagerman. Since the transfer proposes to shift around the irrigated acres of the place of use, it is recommended as no advertising process.

- **Authority to File:**
The applicant submitted Warranty Deeds showing that they are the owners of the property and the associated water rights.
- **Water Right Validity:**
The 3 rights are in Basin 36 and have all been recently decreed in the SRBA and the records have been moved over to water rights. Recent aerial photography indicates that the land involved with the transfer appear to be irrigated. Possible forfeiture of the rights does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. The surface rights are within water district WD 36A so comments will be requested from the water master
- **Local Public Interest:**
No negative impacts anticipated. Recommend no Advertising process.
- **Beneficial Use/Conservation of Water Resources:**
Irrigation is recognized as a beneficial use 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.