

MEMORANDUM

Date: April 6, 2012
To: Transfer 77600 File – Robinson
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer changes the place of use for three water rights, currently authorized for a combined diversion rate of 1.73 cfs from Mill Creek and creates a Permissible Place of Use (PPU) of 130.8 acres, limited to 115 acres per irrigation season. The area is located within the Oakley Kenyon Critical Groundwater area and also falls within the Smooth Model Boundary of the ESPA, however there are no GW rights involved in this transfer. The place of use is located approximately 2 - 2½ miles east and ¼ - ¾ miles north of the center of Oakley. The point of diversion is located 3 ¼ east and ½ mile north of the center of Oakley. Only the place of use is changing so no advertising should be required.

- **Authority to File:**
The application was filed by Greg Sullivan of Brockway Engineering on behalf of the applicants, Howard and Karen Robinson, and signed by both applicants. Deeds were submitted which show the applicants own the rights and the property at the location. Apparently there is no lien holder on the property.
- **Water Right Validity:**
The rights (or the parent rights) were all decreed on 1/8/2007, within the five year period so forfeiture should not be an issue.
- **Injury to Other Water Rights:**
None anticipated. The surface water rights are within WD45A under water master control.
- **Enlargement of Use:**
None anticipated. A 206 map was required and submitted showing where the 115 acres will be irrigated within the PPU.
- **Local Public Interest:**
No negative impacts anticipated.
- **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.

