

MEMORANDUM

Date: April 9, 2012

To: Transfer 77711 File – Beukers

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

This transfer changes the place of use and points of diversion for two water rights, currently authorized for a combined diversion rate of 0.2 cfs and 29.9 af for commercial and stockwater purposes from one well at an existing dairy. They will be moved to the place of use and diverted from the nine wells already associated with two water rights (45-13788 & 45-14061 – which will be brought into this transfer as Associated Rights in order to update their conditions) at another existing dairy approximately 2 - 2½ miles east & 1 – 1½ miles north. (According to recently approved previous transfer 77572, two of the nine wells are *new* wells which will be drilled.) Other irrigation rights are also currently associated with and being diverted from the seven existing wells but it was decided not to include those rights as Associated Rights but instead to require installation of separate meters for the lines going to the dairy. The dairy and wells are located approximately 8.0 miles south and 6.0 – 6.5 miles east of Murtaugh.

*****The application stated that the wells in Sections 12 and 13 were in Range 21E, but they are actually located in Range 20E. I made the corrections.

- **Authority to File:**
The application was filed by Gary Funderburg (TSK Enterprises) on behalf of the applicants, John and Ruth Beuker, and signed by both applicants. A letter of release from the lien holder, MetLife, was provided agreeing to the transfer.
- **Water Right Validity:**
Right 45-14091 was decreed on 5/6/2005 and 45-14101 was decreed on 5/13/2005 in the SRBA. Recent aerial photos of the area show the dairy has been in continuous operation so forfeiture should not be an issue.
- **Injury to Other Water Rights:**
None anticipated. The rights are within WD140 so measurement and reporting is required and the rights will be under the jurisdiction of the water master of that district. The ESPA Model Version 3.1 was run and found that the change has almost no appreciable impact to any of the reaches as a result of the transfer. All impacts are far less than 2 af/trimester on all reaches.
- **Enlargement of Use:**
None anticipated with proper conditioning and the measuring and reporting requirements.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Commercial and stock water use at a dairy 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.