

MEMORANDUM

Date: March 7, 2012
To: Transfer 77776 File
From: Nathan Erickson
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes changing the place of use (POU) for a 60 acre portion of ground water and Coe Creek rights currently used to irrigate ground located approximately 6.0 miles north & 1.6 miles west of Malta. Application proposes to dry up those 60 acres and irrigate ground located 5.5 miles north & 0.25 miles east of Malta. No changes in the points of diversion are proposed.

The following water rights are all currently combined in the PPU that will be affected by this transfer: 43-2313A, 43-2313C, 43-2377A, 43-2377B, 43-2382, 43-2383, 43-2398, 43-10632, 43-13108, 43-13109, 43-13110, 43-13111, 43-13112, 43-13113, 43-13114, 43-13115, 43-13117, 43-13316, 43-13356, 43-13358, 43-13360, 43-13362, 43-13427, and 43-13429. Water rights are located within the Raft River Critical Ground Water Management Area. Because of the nature of the changes proposed in this transfer application, it is recommended that this transfer be processed with a public notice and protest period.

- **Authority to File:**
IDWR records list Gary B. and Susan C. Harper as the owners of the right being transferred, Northwest Farm Credit Services currently hold a lien on the property and has provided a letter consenting to the proposed changes. The property where the 60 acres of irrigation is being transferred is owned by J R Simplot Company, there is a lease agreement between the Harpers and J R Simplot Company allowing the water to be transferred to the land.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA, 43-2313A, 43-2313C, 43-2377A, 43-2377B, 43-2382, 43-2383, 43-2398, 43-10632, 43-13109, 43-13111, 43-13113, 43-13115, 43-13117, 43-13316, 43-13358, 43-13360, 43-13362, 43-13429 in June of 2002, 43-13108, 43-13110, 43-13112, 43-13114, 43-13356 in November of 2004, and 43-13427 in September of 2004. Review of aerial photography indicates the 60 acres proposed to be transferred has been irrigated recently. Possible forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated. The application will be subject to public notice and protest.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use 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.