

MEMORANDUM

Date: February 2, 2012
To: Transfer 77316 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes creating a new authorized place of use for thirteen ground water irrigation rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308 and 45-14310 that are currently used on a farm located approximately 4.3-6.4 miles south and 5.0-9.5 miles west of Burley. The applicants propose reducing and shifting acres for the new authorized place of use to reflect the actual irrigated acres. Eight existing wells will divert a total of 42.56 cfs and 12569.6 AF to irrigate 3694.1 acres.

Note, transfer was filed in response to the issuance of an NOV filed by the State Office. The applicant has been working with Tim Luke to resolve the issue.

The point of diversions and the place of use are located within the ESPA, the Oakley Fan and Oakley-Kenyon CGWAs and also Water District 140 so watermaster comments will be necessary. No ground water analysis was necessary due to no change in points of diversion. Recommended no advertise.

- **Authority to File:**
The applicant is listed as the current owner of water rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308 and 45-14310 according to IDWR records. The application includes a warranty deed showing the applicant's ownership of the new land involved with the transfer.
- **Water Right Validity:**
All rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308 and 45-14310 were decreed in the SRBA on 10/16/2009 so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. Points of diversion are not changing.
- **Enlargement of Use:**
None anticipated if appropriate conditions and limits are implemented.
- **Local Public Interest:**
Transfer was filed for NOV. Acres are shifting to reflect actual irrigated acres. Recommend no advertise.
- **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.