

MEMORANDUM

Date: December 7, 2011
To: Transfer 77516 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to create an 800 acre permissible place of use for better irrigation practices. The water rights involved in the transfer authorizes the irrigation of 520 acres. Of these 520 acres, 236.4 are committed to the CREP program and will remain un-irrigated, 201.6 acres are in the Water Bank, and 82 acres are currently irrigated. The applicants propose to withdraw the 201.6 acres from the Water Bank and use them on lands that have previously been dry farmed. The applicant proposes rotating the water from year to year and dry farming the land irrigated the year before. The water rights involved in this transfer are two Groundwater rights 36-7052 and 36-12454 appurtenant to the existing farm. The existing point of diversion will be used to divert 6.58 cfs to irrigate 520 acres (actually 3.59 cfs and 283.6 acres due to CREP). The farm is located approximately 8.0-9.0 miles north and 4.5-6.0 miles west of the city of Paul.

The property and point of diversions are located within Water District 130 therefore water master comments will be requested. Recommended no advertising process.

- **Authority to File:**
The applicants Frank Suchan and H. Joyce Suchan are listed as the transfer applicants; however Frank J Suchan is listed as current owner of water rights 36-7052, and 36-12454. The application includes a Sheriffs Deed on Execution Sale showing the applicant, Frank Suchan, owns the land involved with the transfer. In addition a fee for an ownership change was not collected.
- **Water Right Validity:**
Water rights 36-7052, and 36-12454 were decreed in the SRBA in 2001. A 236.4 acre portion of these water rights have been in the CREP program since 9/26/07 and will continue to remain in the CREP program. A 201.6 acre portion of these water rights was leased to the Water Supply Bank on 3/3/08 and will be withdrawn from the Water Supply Bank with approval of this transfer. Review of recent aerial photos indicates that the remaining 82 acres are currently being irrigated so with the combination of CREP, WSB, and irrigated acres forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. Point of diversion is not changing.
- **Enlargement of Use:**
None anticipated. The rights involved within the permissible place of use are limited to a combined total of 520.0 acres allowed under the water rights. The 236.4 acre portion will remain in the CREP program. With the withdrawal of 201.6 acres from the WSB and the 82 acres currently irrigated the applicant will be allowed to irrigate 283.6 acres, for a total of 520 acres.
- **Local Public Interest:**
No negative impact anticipated. No advertisement recommended.
- **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.