

REVISED M E M O R A N D U M

Date: November 3, 2011
To: Transfer 77102 File – Wynn Dewsnap Family Revocable Trust
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer combines 28 surface water rights from Raft River and Clear Creek and one right from Cottonwood Creek, which is injected into and rediverted from Raft River, authorized for the combined total diversion of 45.08 cfs and places them in a PPU of 4907.4 acres, limited to 3,360.0 acres in a given year. There are many smaller combined limits within from previously combined rights in various systems. Then there is one all encompassing limitation of 4227.3 acres when these rights are combined with the 33 overlapping ground water rights in companion transfer 76136 for the same PPU. A 206 map was provided which shows the current irrigated acres. Putting them into one large transfer was too large for Workflow to handle, so the rights were split into two transfers, one for GW and the other for SW, even though it is one system. The PPU and points of diversion involved with the transfers are located between approximately 10 miles south to 15 miles south of Malta.

Cottonwood Creek Right 43-222A – Applicant stated that as far as he knew Cottonwood Creek just flowed into Raft River and was later rediverted from his Raft River diversion along with his other rights. I chose a point of injection based on the DRG map and the point of rediversion as where he diverted his other rights from Raft River.

- **Authority to File:**
The application was filed by Wynn Dewsnap on behalf of the Wynn Dewsnap Family Revocable Trust. A lien holder letter was received from Farm Credit West agreeing to the transfers. AgTech Engineering was originally listed as the Representative for the Dewsnap but they have been removed per the applicants statement that they no longer represent them.
- **Water Right Validity:**
Most of the 28 rights in this transfer were decreed in the SRBA on 6/28/2002 and the remaining six (43-206, 43-116, 43-117, 43-118, 43-119, and 43-415A – parent of 43-13119) were decreed on 11/4/2002. Recent aerial photos of the area show irrigation of the property so forfeiture should not be an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated with proper conditioning. A 206 Condition will be needed to keep them within their acre limit in the larger 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.

