

MEMORANDUM

TO: **Amendment 77460 & Transfer 77461**
FROM: Steve Lester
DATE: August 11, 2011
RE: Evaluation of Information Submitted



The transfer proposes to add a new well to save crops being irrigated by 4 decreed rights. The same new well will be used for separate acres under the permit. The 2 existing wells and the new well will be used in a common system.

The site is about 3 miles southwest of New Plymouth, just south of I84. Contact person for the applicant is **Steve Hannula, ERO Resources**.

The applications are being expedited without ads for a new well location on the applicant's property and far enough away from other owners' wells to avoid problems, see attached map.

Summary of Information Submitted

- **Authority to File:** The applicant is the owner of record for the decreed rights and the permit and can file the applications. Although not a registered business entity with IDSOS, approval of the permit in the name of the applicant in December 2010 indicates this is not a problem.
- **Water Right Validity:** The older rights were decreed in 2009 and are valid. The permit is valid, proof is not yet due and has not been filed, and an amendment can be processed.
- **Injury to Other Water Rights:** Use of a new well from the proposed site will not lead to injury.
- **Enlargement of Use:** Enlargement will not occur.
- **Local Public Interest:** The applications are in the public interest to support a large irrigation operation.
- **Beneficial Use/Conservation of Water Resources:** The applications propose beneficial use consistent with conservation of water resources in Idaho.
- **The applications are consistent with criteria of I. C. § 42-211 and 42-222 and should be processed.**

Discussion

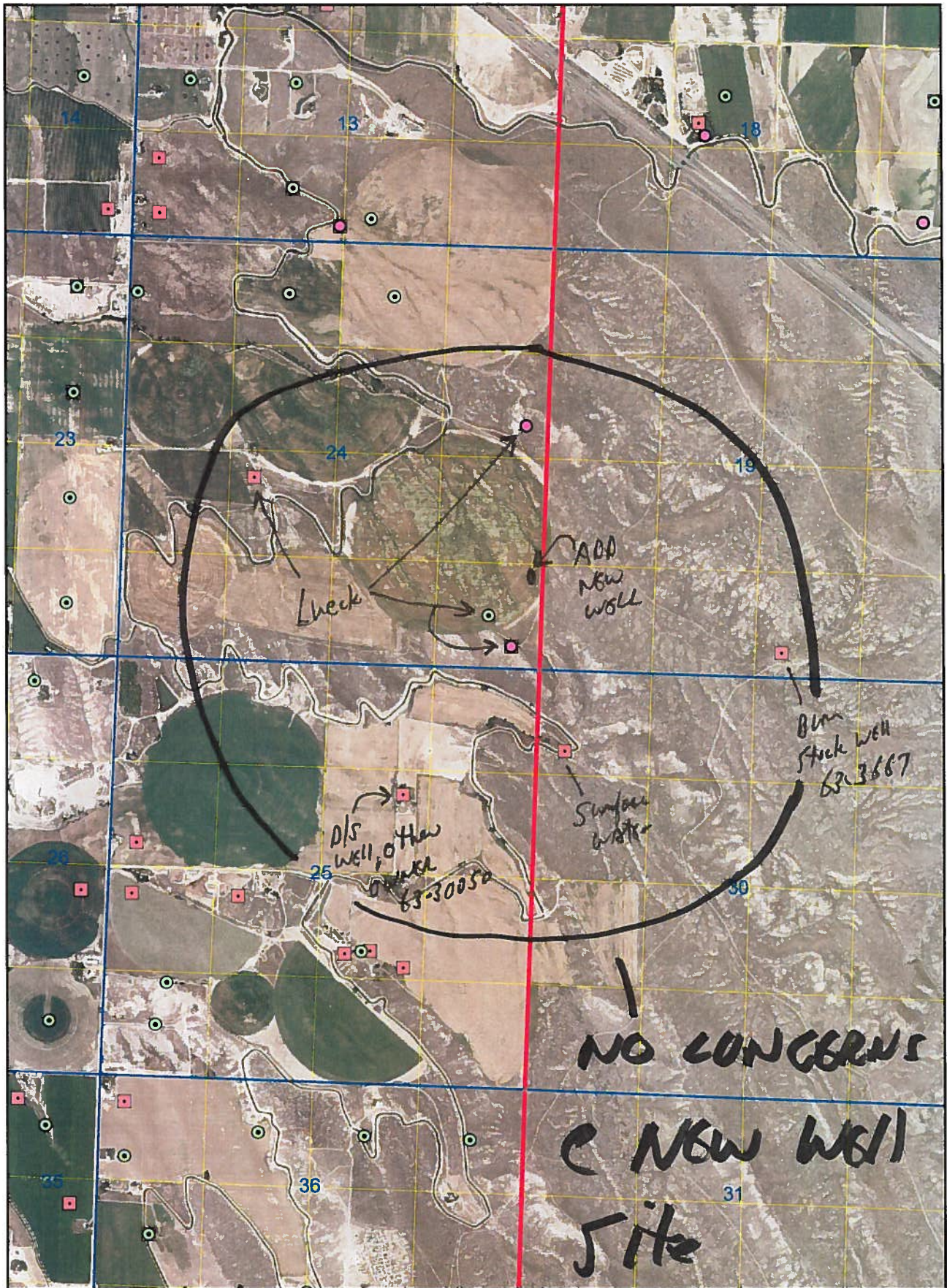
The rights/permit cover different acres but share some degree of POD overlap. No other overlap is found except primary irrigation from Black Canyon Irrigation District for some of the rights, although not the permit.

Disregard the second listing of the right numbers in the transfer – does not mean anything.

The rights were migrated in the database.

Both applications should be approved without delay to save crops.

7N



-SL 8/11/11

SW-1-4W