

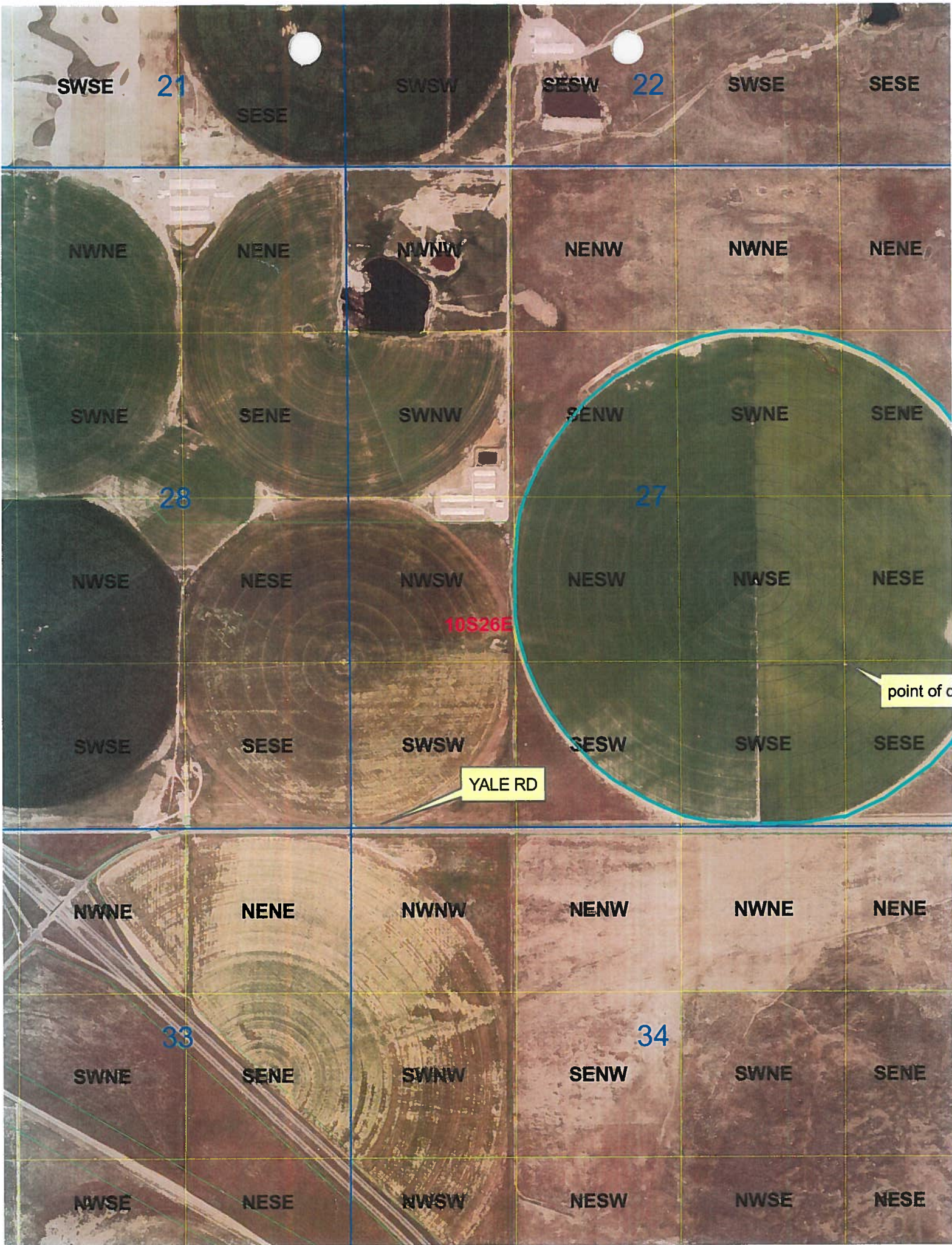
MEMORANDUM

Date: May 19, 2011
To: Transfer 77207 File – Wheeler
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer makes a PPU of 287.5 acres from three groundwater rights currently authorized to divert a combined total of 4.01 cfs and 1120 AF for the irrigation of 287.5 acres. There is only one well for these three rights but it is described in different locations on the two decreed rights than on the licensed right. I was able to GPS the correct location of the well and get the correct legal description on all three rights. It is actually located in the NWSESE of Section 27, T10S, R26E, which was different from all three of the previous locations. The transfer also allows the removal of two points of diversion (wells) from right 43-10041. These two wells were sold along with water right 43-7020C to someone else and the three wells described on 43-10041 are no longer connected. (I was also able to remove the combined limit remark from 43-10041 and the neighbor's right 43-7020C.) Location of the proposed place of use and existing well is approximately ¼ mile north of Yale Road and 1 ¼ miles east of the Interstate. According to the guidance memo dated March 19, 2009, no advertising should be needed for this transfer.

- **Authority to File:**
The application was signed by both Michael and Diana Wheeler. Applicants stated there is no lien holder on this property.
- **Water Right Validity:**
Rights 43-7020D & 43-10041 were decreed in the SRBA on 6/28/2002 and right 43-7319 was licensed on 1/25/2002. Recent aerial photography indicates the lands have been irrigated so forfeiture should not be an issue.
- **Injury to Other Water Rights:**
No injury anticipated in making this PPU and no new wells will be drilled, just a correction of the legal description location.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use of 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.



NWSE

NESE

27

10S26E



point of diversion

SWSE

SESE