

MEMORANDUM

Date: June 21, 2011
To: Transfer 74896 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes converting a 16.5 acre portion of two groundwater irrigation rights (36-16646 and 36-16448) currently used to irrigate a farm located approximately 7.0 - 8.0 miles north and 1.3 - 3.3 miles east of the center of Jerome to stock water and commercial uses associated with the expansion of an existing dairy operation located approximately 7.0 - 7.25 miles north and 3.8 - 4.0 miles east of the center of Jerome. The transfer also proposes to modify the existing water rights (36-2575B, 36-8179, and 36-14430) at the dairy site by clarifying the places of use and point of diversion descriptions to reflect how the rights are actually used. In total, up to 0.40 cfs and 44.7 afa will be diverted from two existing wells at the dairy site to provide water for the dairy operation. An additional 0.10 cfs and 3.6 afa will be diverted from two other existing wells (not tied into the dairy water system, or each other) to provide water to homes located at the dairy site. Note that transfer # 74896 was originally filed in July of 2008, but the application was returned to the applicant in March of 2011 due to various issues &/or incomplete items. The currently amended application was refiled with the Department in June of 2011. The two irrigation rights (36-16646 and 36-16448) involved with this application were involved in transfer # 72954 (approved 4/13/2011). The two irrigation rights (36-16646 and 36-16448) are considered supplemental, but the analysis conducted in transfer # 72954 concluded that the supplemental acres would be worth 1.5 afa per acre if transferred to a consumptive use. In an attempt to stay with the "spirit" of the originally filed transfer #74896, the two irrigation rights were split somewhat uniquely. The diversion rate split amounts were based on dividing the total number of allowed acres (451.6) by the transferred acres (16.5 acres). However, the diversion volume split amounts were based on all 16.5 acres being part of the 268.2 acre limit associated with right 36-16446 (earlier priority right). Note that right 36-16446 provides approximately 66% of the allowable volume per acre when combined with right 36-16448. This results in a somewhat disproportionate split of the rights but should be of no concern. The wells associated with the transfer are located within Water District 130, and within the ESPA smooth model boundary. However, all of the well locations are in adjacent groundwater model cells so a model analysis is not required.

- **Authority to File:**

The applicant is listed as the current owner of the rights involved with the transfer. In addition, deeds have been included indicating that the applicant owns the land involved with the application.

- **Water Right Validity:**

The rights involved with the transfer have all been decreed in the SRBA. Recent aerial photography indicates that the land has been used as described on the rights since the issuance of the decrees.

- **Injury to Other Water Rights:**

None anticipated. The wells associated with the transfer are located within Water District 130, and within the ESPA smooth model boundary. However, all of the well locations are in adjacent groundwater model cells so a model analysis is not required.

- **Enlargement of Use:**

None anticipated. Conversion from irrigation to stock water and commercial use will result in a net decrease in the allowable annual diversion volume.

- **Local Public Interest:**

No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed uses are recognized as beneficial uses 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.