

MEMORANDUM

Date: May 25, 2011
To: Transfer 75175 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use for the following groundwater rights: 37-2581, 37-2599, 37-2604, 37-2616, and 37-7758, that are currently appurtenant to 721.7 acres located approximately 2.7 to 4.2 miles east & 0.9 miles south to 0.9 miles north of the Timmerman Junction of Highways 75 and 24. These five rights are currently recommended for a total of 13.48 cfs and 2526 AFA. Application proposes to create a 755-acre permissible place of use (PPU) incorporating surrounding ground to allow for irrigation flexibility. This transfer is a condition of a previously signed consent order and agreement as a result of a notice of violation issued by the Department. The groundwater points of diversion for right 37-7758 are injected into Cain Creek and rediverted from Chaney Creek, so they fall under the Big Wood River Water District (WD 37), so watermaster comments will be needed. Because of the nature of the changes proposed represent no hydraulic impact and only incorporates neighboring acres, it is recommended that this transfer be processed without a public notice and protest period.

- **Authority to File:**

The applicant is listed as the current owner of the rights involved with the transfer according to IDWR records. The proposed PPU remains on parcels where the rights are currently appurtenant. Tax notices were also submitted with the application to verify ownership.

- **Water Right Validity:**

Rights 37-2581, 37-2599, 37-2604, 37-2616, and 37-7758 were partially decreed in the SRBA on June 1, 2010.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated. Rights will be limited to the total original acres as allowed under their respective recommendations. Additionally, as a condition of the approval, right holder will also be required to submit which acres will be irrigated within the proposed permissible place of use.

- **Local Public Interest:**

No issues anticipated.

- **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.