

MEMORANDUM

Date: March 29, 2011
To: Transfer 75840 File – Heart Rock Ranch LLC
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer involves four surface water rights, 37-180, 37-181, 37-231A, and 37-233, recently decreed for a combined total of 11.6 cfs from Black Slough and Willow Creek. 37-180 & 37-181 were limited to a combined total of 215 acres in a 412.5 acre PPU while 37-231A & 37-233 were limited to a combined total of 145 acres in a 362 acre PPU. The transfer dries up 16 acres & 0.34 cfs from 37-180 & 37-181 and 7.9 acres & 0.2 cfs from 37-231A & 37-233 to convert to Aesthetic, Recreation and Wildlife uses to be diverted into ponds in accompanying Permit 37-22459. The dry-up acres account for the consumptive use associated with the ponds in the permit. The transfer proposes a remaining combined irrigation diversion rate of 11.06 cfs in a PPU of 701.1 acres, with 37-180 & 37-181 limited to 198.7 and 37-231A & 37-233 limited to 137.1 acres within.

- **Authority to File:**
The application was assigned to the new owners, Heart Rock Ranch, by the original applicants, Spring Creek Idaho Ranch LLC. The ownership had previously been changed on all the rights.
- **Water Right Validity:**
These rights were decreed in the SRBA on January 26, 2010.
- **Injury to Other Water Rights:**
Protests were filed on the transfers and the Permit by several entities. An agreement was eventually signed by all and the protests were subsequently withdrawn. The agreement and date are referenced in the approval Conditions.
- **Enlargement of Use:**
None anticipated. Water Master will be involved and measurements required as needed.
- **Local Public Interest:**
No negative impacts 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.

