

MEMORANDUM

Date: March 22, 2011
To: Transfer 77104 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer 77104 proposes combining seven Big Cottonwood Creek water rights 45-423A, 45-423B, 45-424, 45-439, 45-440, 45-442, 45-13772 and one spring water right 45-2260 on an existing farm, changing the acreage to reflect current irrigation practices and creating a new permissible place of use. Two existing points of diversions will be used to divert 6.4 cfs to irrigate 348.9 acres. The farm is located approximately 5.5-6.5 miles west and 4.2-5.5 miles north of the center of Oakley.

The properties and the Big Cottonwood Creek point of diversion are located within Water District 45K and the spring point of diversion is located in Water District 140 therefore water master comments will be requested. Recommended no advertising process.

Note water rights 45-424 and 45-440 have conditions that point to water right 45-13772 as being an enlargement. However, water right 45-13772 has a priority date of 3/15/1950 that pre-dates the mandatory permit statutes so the conditions have been dropped.

- **Authority to File:**
The applicant's are listed as current owners of water rights 45-423A, 45-423B, 45-424, 45-439, 45-440, 45-442, 45-2260 and 45-13772. The application includes a warranty deed showing the applicant's ownership of the new land involved with the transfer.
- **Water Right Validity:**
All rights (45-423A, 45-423B, 45-424, 45-439, 45-440, 45-442, 45-2260 and 45-13772) were decreed in the SRBA in 2005 so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. Points of diversion are not changing.
- **Enlargement of Use:**
None anticipated if appropriate conditions and limits are implemented.
- **Local Public Interest:**
No negative impact anticipated. No advertisement recommended.
- **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.