

MEMORANDUM

Date: December 9, 2010
To: Transfer 73740 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer # 73740 proposes transferring a 0.37 cfs (18.1 acres) groundwater irrigation right, 36-16752, from a farm located approximately 3.5 – 3.8 miles west and 2.25 – 2.5 miles north of the center of Wendell to stockwater and commercial use associated with an existing dairy operation located approximately 6.4 – 6.7 miles west and 0.25 – 0.5 miles south of the center of Wendell. Transfer # 73740 also changes the authorized diversion points of two rights, 36- 15206 and 36-15207, (totaling 0.28 cfs) currently associated with the dairy by identifying two existing wells at the dairy site as authorized diversion points. In total, transfer # 73740 proposes diverting up to 0.65 cfs from the two existing wells located at the dairy site. Note that the proposed change in right 36-16752 results in depletions greater than 10% occurring in the Thousand Springs reach, which is presumed to cause injury and requires full mitigation so that there are no increases in depletion to that reach. For this reason a companion transfer, # 76955, was submitted that proposes drying up a 22.4 acre (0.45 cfs) portion of a groundwater irrigation right appurtenant to land located approximately 2.0 – 2.25 miles east and 0.0 – 0.25 miles south of the center of Wendell in order to mitigate the transferring of the groundwater irrigation right proposed by Transfer # 73740.

- **Authority to File:**
The applicant, Frank Veenstra, is listed as the current owner of the rights involved with the transfer according to IDWR records. A deed included with the application indicates that the property at the dairy site is actually owned by Frank and Mary Jane Veenstra.
- **Water Right Validity:**
Rights 36-15206 and 36-15207 were decreed in the SRBA in 1996. Aerial photos since 1996, including recent years, indicate that the place of use has been a CAFO facility. Right 36-16752 was recently created by transfer # 66114 (approved in 2009).
- **Injury to Other Water Rights:**
None anticipated. A companion transfer, # 76955, has been submitted to mitigate anticipated depletions to the Thousand Springs reach (and indirectly other reaches) as determined by the ESPA groundwater model transfer tool.
- **Enlargement of Use:**
None anticipated. During a previous discussion between IDWR staff and the applicant's consultant, it was agreed upon to transfer right 36-16752 based on the typical consumptive use volume (3.0 afa per acre) for the area. Conversion from irrigation to stock water and commercial use based on consumptive 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.