

MEMORANDUM

TO: Transfer No. 76782 File

FROM: Angie Grimm

DATE: September 8, 2010

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change one proposed P/D recently approved in Transfer No. 76248 from the NENE Section 25 T04S R06E to the NESE Section 24 T04S R06E.

The site is generally located west of S 18th St E between E 42nd St S and Clover Hollow Rd approximately four miles south of Mountain Home.

Contact person for the applicant is Jason Helms of Thompson Engineering, Inc.

Deviations from Transfer Policy Standards

The current standard volume per acre amount for this area is 4.0 af/ac. The transfer approval has been drafted to condition the rights in this system to divert no more than 4.5 af/ac when combined with other rights rather than 4.0 af/ac, because the rights were decreed based on the higher volume per acre amount.

Summary of Information Submitted

Authority to File: The applicant is the current owner on record for the rights proposed for transfer. The applicant has authority to change the rights.

Water Right Validity: Rights presumed to be valid. The rights were decreed in the SRBA in 2000. Recent beneficial use confirmed via 2006 aerial photography, analysis of aerial photography provided by the applicant, and applicant's statement that the rights have not undergone a period of five or more consecutive years of non-use.

Injury to Other Water Rights: Injury should not occur under this proposal provided use of the new well does not interfere with nearby existing wells. As ground water rights, use of the proposed P/D is subject to reasonable pumping level provisions of I. C. § 42-226. The proposed P/D is approximately 0.5 miles from the previously approved P/D within the Mountain Home GWMA. It is only 0.1 miles away from an existing domestic well (WR # 61-10682). Irrigation wells in this area are by in large completed into the regional aquifer, with depths and production intervals several hundred feet deep. Declining water levels in this area have caused drops in production rates of the existing P/Ds in the later part of the irrigation season, per applicant remarks. The applicant proposes to construct one new well in a manner to allow diversion of the rate of flow authorized. Considering the applicant is not proposing to increase diversion beyond authorized limits, it is unlikely addition of the proposed P/D to the system will significantly impact the ground water supply in this area. Although the new location for this well is not likely

to have a significant effect on the source aquifer, pumping of the proposed maximum 5.0 cfs from a new well only 0.1 miles away may interfere with the P/D of domestic right 61-10682. A comment letter will be sent to the owner of this right during advertising of this transfer to make sure the domestic right owner is aware of the change proposed to the diversion system of the applicant's senior rights.

Enlargement of Use: The diversion rate, annual diversion volume, and number of acres irrigated will not increase as a result of this transfer. Irrigation will be limited to previously authorized number of acres within the PP/U.

Local Public Interest: Allowing the applicant to construct a new well will allow the applicant to divert the authorized amount of water allowing for maximum extent of beneficial use under the water rights in a more efficient system which serves the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

Data entry will affect the water records for the rights proposed for transfer. The rights were decreed in the SRBA on 10/26/2000. The records were migrated to water right records prior to processing of this transfer.

The transfer proposes to change one P/D for all five water rights in this combined system. There are no other overlapping rights for the existing P/Ds, proposed P/D, or existing PP/U.

The fee submitted for this transfer is based on the proposed maximum diversion rate of 5.0 cfs from the proposed well. If approved, the transfer will limit diversion from this point of diversion accordingly.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 is applicable since one new well is proposed.