

MEMORANDUM

Date: May 18, 2010
To: Transfer 75725 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to create a 895.9 acre permissible place of use for seven groundwater rights on a farm located approximately 11.5 to 11.7 miles east and 5.6 to 5.8 miles south of the Interstate 84 and 86 junction. The application proposes to divert up to 8.52 cfs from two existing wells located on the farm. The application only proposes changing the place of use of the rights by allowing for their use on adjacent lands with no changes in points of diversion proposed. The proposed place of use and points of diversion are within the Raft River Critical Ground Water Area.

Recommend no advertising process and Regional Approval

- **Authority to File:**

A Quitclaim Deed from Michael D and Toni L Garner to Garner Land, LLC has been submitted for the permissible place of use with their appurtenances. Application states that there is a lien holder on the property and a letter was provided from Northwest Farm Credit agreeing to the transfer.

- **Water Right Validity:**

Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 were all decreed in 2002. Recent aerial photos show the land currently irrigated.

- **Injury to Other Water Rights:**

None anticipated. There is no change to the points of diversion. The wells already exist.

- **Enlargement of Use:**

None anticipated. The rights involved within the permissible place of use are limited to a combined total of 705.7 acres allowed under the water rights

- **Local Public Interest:**

No negative impacts anticipated. Application is to create a permissible place of use. Recommend no advertising process and Regional Approval.

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.

	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34			16	16					325	325	325	325	38	39	22	25	282
			16	16					17	17	25	25	38	39	22	25	240
2						1.0											1
						1.0											1
3	39.7	36	12	14	37	36	33	34	37	36	33	35					382.7
	~~39.7~~	~~36~~	~~12~~	~~14~~	~~37~~	~~36~~	~~33~~	~~34~~	~~37~~	~~36~~	~~33~~	~~35~~					~~382.7~~
	39.7	36	12	14	37	36	33	34	37	36	33	35					669.7
																	623.7

$$\left. \begin{array}{l} 43-13179 \\ 43-13175 \\ 43-13177 \end{array} \right\} 669.7 \quad] 59 \quad] 86$$

$$\left. \begin{array}{l} 43-2511 \\ 43-4146 \end{array} \right\} \begin{array}{l} 480 \\ 143.7 \end{array} \quad] 623.7$$

$$\left. \begin{array}{l} 43-13641 \\ 43-13643 \end{array} \right\} \begin{array}{l} 6.3 \\ 36 \end{array} \quad] 36$$

$$\begin{array}{r} 86 \\ 623.7 \end{array} \xrightarrow{\text{Jocelyn W}} \begin{array}{r} 46 \\ 623.7 \end{array}$$

$$\begin{array}{r} 36 \\ \hline 745.7 \end{array} \quad \begin{array}{r} 36 \\ \hline 105.7 \end{array}$$

Limit



Allen
The acre limit has
been corrected on all
rights and transfer
approval.

Benny
6/1/10