

MEMORANDUM

Date: May 10, 2010
To: Transfer 76459 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use, change the point of diversion, and add points of diversion of a groundwater right, 45-2468, that is currently appurtenant to 74 acres located approximately 2.0 to 2.5 miles E & 4.9 to 5.4 miles N of Declo. It is proposed that right 45-2468 will be combined with rights 45-7336 (4.38 cfs & 400 acres), 45-7449 (0.4 cfs & 25 acres), 45-7471 (1.36 cfs & 68 acres), & 45-13373 (0.66 cfs & 71 acres) to divert up to 7.63 cfs from a proposed common system and irrigate up to 638 acres within a proposed permissible place of use located approximately 2.5 to 4.0 miles E & 0.4 to 1.8 miles N of Declo. Application proposes to create this common system by combining an existing well (located approximately 3.7 miles E & 1.7 miles N of Declo, currently authorized under right 45-7336 & 45-13773) with three existing wells (located approximately 2.5 miles E & 0.6 miles N of Declo, currently authorized under rights 45-7449 & 45-7471) and add an additional well to be placed approximately 2.1 miles E & 0.6 miles N of Declo. The points of diversion involved in this transfer are located within the Oakley Valley Water District (WD 140), so watermaster comments will be needed. The current and proposed points of diversion also fall within the ESPA boundary, so a model analysis and evaluation was included with the application. Because of the nature of the changes proposed in this transfer application, it is recommended that this transfer be processed with a public notice and protest period.

- **Authority to File:**

The applicant is listed as the current owner of the rights involved with the transfer according to IDWR records. Additionally, the applicant has provided warranty deeds for the proposed place of use along with a release from Northwest Farm Credits, consenting to the proposed changes.

- **Water Right Validity:**

Rights 45-2468, 45-7336, & 45-13773 were partially decreed in the SRBA in May of 2005. Rights 45-7449 & 45-7471 were partially decreed in the SRBA in August of 2005.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated. Rights will be limited to the total original acres as allowed under their SRBA decree. Additionally, as a condition of the approval, right holder will also be required to submit which acres will be irrigated within the proposed permissible place of use.

- **Local Public Interest:**

No issues anticipated.

- **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.