

MEMORANDUM

TO: Transfer No. 76552 File

FROM: Steve Lester 

DATE: May 24, 2010

RE: Evaluation of Sufficiency of Information Submitted

This very simple application only changes one well location from SWSW to SESW, Section 26 due to a failing well. The application allows a very simple revision to recently approved Transfer 73902. See the prior transfer for more complete details about the rights if necessary.

The issues typically analyzed for transfer approval remain unchanged since approval of Transfer 73902 at the end of 2009. The only noteworthy addition to the prior information is noted below.

The failed well will be abandoned as represented in the abandonment application provided to Western well construction staff. The proposed well will be considerably closer to power. It will be across the road from the applicants' home. The new well will not be significantly closer to several neighboring domestic wells (see application map and consultant cover letter). The new well will be drilled significantly deeper than those other domestic wells to provide additional protection against injury.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing and approval of the application. The application can be processed and approved without legal notice. The drilling permit for the new well will be issued together with the transfer approval.

The application will act on the adjudication records. The adjudication recommendations are pending without SRBA objections. The adjudication staff (Jan Shurte and Lori Harris) will be notified during processing.

Conditions of approval from Transfer 73902 are maintained in Transfer 76552. Condition 046 is added for the proposed well. The full filing fee for 9.52 cfs was paid. Condition 186 to limit the diversion rate for the new well based on a reduced filing fee is not needed.

Contact person for the applicant is consultant Steve Hannula, ERO Resources.