

MEMORANDUM

Date: April 1, 2010
To: Transfer 76333 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes creating a 1350.6 acre permissible place of use for two ground water rights, 45-4084 and 45-4236, on a farm located west of Highway 77 approximately 0.3 miles south to 2.0 miles north and 0.4 miles west to 2.3 miles west of the city park in Albion. The application also proposes changing the authorized point of diversion location for the two rights from a well located approximately 1.2 miles west and 0.2 miles north of the Albion City Park to a well located approximately 1.6 miles west and 1.0 mile north of the Albion City Park allowing for the diversion of up to 1.14 cfs for the irrigation of up to 57 acres of land within the proposed permissible place of use. The area associated with the transfer is located within Water District 140, but is not located within the ESPA or any other areas of concern.

- **Authority to File:**

The applicant is listed as the current owner of the rights involved with the transfer according to IDWR records. Copies of deeds included in the file indicate that the applicant does not own the entire proposed permissible place of use. However, an authorization letter signed by the owner of the portions of the permissible place of use not owned by the applicant is included in the file. This authorization letter indicates that the applicant will retain ownership of the rights if the transfer is approved.

- **Water Right Validity:**

The rights involved with the transfer were decreed in the SRBA as valid rights in May of 2005. Recent aerial photography does not clearly indicate any irrigation of the current place of use of the rights involved with the transfer. However, the rights involved with the transfer were in the Water Supply Bank from April of 2007 until the end of 2009. Possible forfeiture does not appear to be an issue.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated as long as appropriate limiting conditions are implemented and complied with.

- **Local Public Interest:**

No issues anticipated. Transfer will be subject to public notice and protest.

- **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.