

MEMORANDUM

DATE: January 26, 2009
TO: Transfer 76100 File
FROM: Jeff Cooper
RE: Evaluation of Sufficiency of Information Submitted

Transfer is part of a package of two transfer applications (T #76100 & T #76115) that propose to swap water rights between two farms. Transfer #76100 proposes moving a portion of right 36-2198 (1.07 cfs & 59 acres, which has been renumbered to 36-16811) from a farm located approximately 8.9 to 9.9 miles W & 4.0 to 4.5 miles north of the Minidoka townsite and also proposes moving a portion of right 36-2199 (0.77 cfs & 67.7 acres, which has been renumbered to 36-16813) from an adjacent farm located approximately 8.9 to 9.9 miles W & 3.5 to 4.0 miles N to a 305-acre permissible place of use (PPU) on a farm located approximately 0.7 to 1.2 miles S & 3.0 to 4.0 miles W of the Minidoka townsite. Transfer will allow for an existing well located at the proposed 305-acre PPU to be used, in combination with right 36-7267 (0.07 cfs & 12.2 acres now renumbered to 36-16801) to divert up to 1.91 cfs and irrigate up to 138.9 acres. Water right 36-7932 was included in the processing of transfer #76100 in order to change the flow limit combined with rights 37-2198 & 37-2199. The points of diversion for these rights are located within the ESPA and Water District 130. Companion transfer #76115 proposes transferring a 126.7-acre portion of right 36-7267 (renumbered to 36-16800) from the land and associated well at currently appurtenant to the proposed PPU site to the original 36-2198 & 36-2199 wells and land. Since the water rights being swapped are in the same amounts (502.8 afa), an ESPA groundwater analysis was not required.

- **Authority to File:**
IDWR Records show the following water rights as being owned by Duane and Laura Grant: 36-7267, 36-2198, and 36-2199. The original applications were signed by both Duane and Laura Grant. Subsequent amended applications were signed by Zach Latham, of Brockway Engineering, whom had a limited power of attorney granted from Duane and Laura Grant. The proposed PPU and POD locations are owned by Duane and Laura Grant.
- **Water Right Validity:**
Water right 36-2198 was partially decreed in August, 2001. Right 36-2199 was partially decreed in December, 2001. Right 36-7267 was licensed in February, 1990.
- **Injury to Other Water Rights:**
None anticipated. Water rights with different priority dates are being swapped in the same amount (502.8 afa).
- **Enlargement of Use:**
None anticipated. Irrigation will be limited to transfer amounts within their respective PPUs.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use (Irrigation) 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.