

MEMORANDUM

Date: January 22, 2010
To: Transfer 75531File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to change the place of use and point of diversion of a ground water right for stockwater use on an existing CAFO facility. The transfer was filed to reflect the actual location of the developed point of diversion and place of use (correcting the water right record). The stockwater right, 36-2264E, involved with the transfer allows for the diversion of up to 0.1 cfs and 7.8 afa. This facility is within the ESPA, but is not subject to water district 130 and measuring requirements since the stockwater right falls within uses allowed by Idaho Code § 42-111 that were exempted in the order that created water district 130. No hydrological impact is anticipated due to no actual physical change in the system therefore recommend no advertising.

- **Authority to File:**
The applicant is listed as the current owner of the rights being transferred according to IDWR records and quitclaim deeds have been provided showing that the applicant owns the actual place of use.
- **Water Right Validity:**
Water Rights 36-2264E is recognized as a valid Water Right in the SRBA and was decreed in 1998.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative issues anticipated. No hydrological impact 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.