

MEMORANDUM

Date: December 14, 2009
To: Transfer 76021 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer application proposes adding points of diversion and creating a 549.3 acre permissible place of use for six rights that currently allow for the total diversion of 10.42 cfs for the irrigation of 539 acres. The proposed permissible place of use is located on a farm approximately 12.9 - 14.4 miles east and 2.3 - 4.4 miles south of the Highway 20 and Highway 75 intersection. Up to 5.00 cfs diverted from a well located along the south side of Highway 20 approximately 2.8 miles east and 0.1 miles south of the Highway 20 and Highway 75 intersection and up to 1.42 cfs diverted from another well located along the north side of Highway 20 approximately 2.7 miles east and 0.1 miles south of the Highway 20 and Highway 75 intersection will be injected into streams tributary to Silver Creek and rediverted from any of five points of diversion located on Silver Creek near the farm. The application also proposes to allow for the diversion of up to 4.0 cfs of decreed Silver Creek water rights from any of the same five Silver Creek diversions for use in the proposed permissible place of use. Note that four of these five points of diversion are currently described on at least some of the rights involved with the transfer. The fifth point of diversion is not currently described on the rights, but is located on the opposite side of the creek of one of the other four diversions.

- **Authority to File:**
The applicant, John Flood, is listed as the owner of water rights involved with the transfer according to IDWR records. The application includes a copy of a deed showing that the applicant owns the additional PPU acres described on the application, above and beyond what is currently described on the rights involved with the transfer.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA in October of 2009.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water. Sprinklers are utilized for irrigation.

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.