

MEMORANDUM

Date: October 22, 2009
To: Transfer 75608 File – Jentzsch-Kearl
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes a permissible place of use of 2,508.5 acres by tying together the 6 points of diversion for 10 water rights currently authorized to divert a combined total of 32.54 cfs and 8,583.2 AF for the irrigation of 2,145.8 acres in any given year. The applicant recently purchased a neighboring farm and wishes to tie in the well of the two appurtenant rights, 36-2593 and 36-2693, with his previous holdings. There will be a total of 6 existing wells tied together; no new wells will be drilled. Not including the two rights that were purchased, the other 8 existing rights on his property included in the transfer had to be split because previous ownership changes had not been filed on parts of the property which had been sold. An amended application was required when this was discovered, correcting the map and place of use. Zach provided a worksheet with the proposed splits but these appeared to be incorrect as the deeds did not address any specific amounts for the property that was sold, just with appurtenances, so I split each right proportionately instead of following his suggestions. There was some question on the location of the two wells in Section 5. Previous GPS information indicated they were located over the line and not in the QQ that the water right listed them in. I re-GPS'd the two wells and they were indeed across the line, so I used this transfer process to make the corrections to the water rights. (I also corrected the legal descriptions of the wells in the remainder or unchanged portions of the rights to lessen any confusion with WMIS points, etc.) Location of the property is approximately 18 miles east of Shoshone on the Shoshone/Dietrich Highway (HWY 24) and between 2 – 4 miles south at the junction of 1850 East Road. Per Allens memo dated 3/18/2009, no advertising is required for this transfer.

- **Authority to File:**
The application was filed by Brockway Engineering on behalf of Jentzsch-Kearl Farms and signed by Zach Latham. There was a Limited Power of Attorney to Zach Latham signed by Rodney Jentzsch, representing Jentzsch-Kearl Farms. According to the Secretary of State web-site, Rodney Jentzsch is authorized to sign on behalf of Jentzsch-Kearl Farms as a General Partner. The application stated there were no lien holders on the property.
- **Water Right Validity:**
Nine of the rights (or parent rights of those that have been split in the transfer) have been decreed in the SRBA and the remaining parent right, 36-7446, was licensed in 1990.
- **Injury to Other Water Rights:**
None anticipated. The wells are simply being interconnected.
- **Enlargement of Use:**
None anticipated. This area is in water district 130 so water master comments will be sought and flow meters and reporting required upon approval.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
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.

Shoshone

Dietrich

1850 EAST RD



