

MEMORANDUM

Date: February 11, 2009
To: Transfer 75353 File
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to correct a point of diversion, add points of diversion, and update the place of use for a commercial and stockwater right diverting 2.02 cfs and 857.4 af. The current water right has three wells and after the transfer, there will be 13 existing wells tied together. No new wells will be drilled. (Decreed domestic and stock water right 47-13176 is also appurtenant to the property with a point of diversion in the SENWSW of Section 33 but Brockway's office confirmed it was a separate system and should not be included in either transfer.) All of the wells are located within the Blue Gulch Critical Ground Water Management Area. (There is a companion transfer, 75352, which ties these same wells together for irrigation purposes.) Location of the wells is between 3 ¼ - 5 ¼ miles north and 3 ¾ - 5 ½ miles west of Castleford.

- **Authority to File:**
The application was filed by Visser Holsteins DBA Eagle View Farms. It was signed by Jerrold Visser, who is listed on the Secretary of States Page as a Partner for Eagle View Farms. A letter from the lien holder, American AgCredit, was submitted agreeing with the proposed transfer.
- **Water Right Validity:**
Right 47-2371 was recommended in the SRBA but has not yet been decreed. There are no objections on the right.
- **Injury to Other Water Rights:**
None anticipated. Thirteen existing wells are being tied together for back-up purposes; no new wells will be drilled. The same wells are also listed on a companion transfer (75352) for irrigation rights. (A Protest was filed on previous transfer 67009 approved on this right in 2000 so reference to their agreement will be maintained in this transfer.)
- **Enlargement of Use:**
None anticipated. This area is not in a measurement district yet but will presumably be in the future when measurement and reporting will be required.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Commercial 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.

MEMORANDUM

Date: February 11, 2009
To: Transfer 75353
From: jroberts
Re: Legal Notice Remarks

Transfer seeks to update the place of use and add points of diversion to a water right currently diverting 2.02 cfs and 857.4 af for commercial and stock water use at an existing dairy. Thirteen existing wells will be tied together. No new wells will be drilled. Location of the wells is between 3 $\frac{1}{4}$ - 5 $\frac{1}{4}$ miles north and 3 $\frac{3}{4}$ - 5 $\frac{1}{2}$ miles west of Castleford.

