

MEMORANDUM

Date: August 12, 2009
To: Transfer 75689 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes changing the authorized place of use of three groundwater rights (37-7716, 37-7314, and 37-7726) used on a farm located a couple of miles south of Dietrich. The transfer was filed to split up an existing farm between family members. All the parties are listed as applicants and have signed the transfer application. The three rights are currently recorded in a 220 acre permissible place of use and the transfer will assign right 37-7716 to a specific tract and will be owned by William Hubert & Rita Shaw. The other two rights will be identified within their own specific 180 acre permissible place of use and will be owned by Eugene & Joyce Shaw. Note that a total of only 219 acres will be irrigated after the transfer because Eugene & Joyce Shaw only own 180 acres of land. After the 39 acre right (36-7716) is removed from the 220 acre PPU, the 181 remaining acres on the remaining two rights could only be placed on the 180 acres actually owned. To accomplish this, the most junior of the two rights (37-7726) was reduced by one acre, 0.02 cfs, and 4.0 acre-feet. Also note that the 180 acres and the point of diversion are located within a correction section with numerous government lots. The point of diversion was incorrectly linked to a point in government lot 2, rather than the decreed location in government lot 3. The correct well location was determined via consultation with the Water District 130 water master. The well involved with this transfer is located within the ESPA and Water District 130. There is no change in point of diversion proposed by this transfer so a groundwater model analysis is not required. Due to the relative minor POU changes, there should be no hydrologic impact and therefore the transfer does not need to be advertised.

- **Authority to File:**
Various quitclaim deeds included with the application and IDWR records document the ownership of the rights involved with the transfer. All the parties are listed as applicants and have signed the transfer application.
- **Water Right Validity:**
Rights involved with the transfer were decreed in the SRBA in 2002. Examination of recent aerial photography indicates that the rights have been used.
- **Injury to Other Water Rights:**
None anticipated. This transfer only proposes modifying the place of use of the rights by shifting the acres onto adjacent land &/or moving within the existing PPU.
- **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.

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.