

MEMORANDUM

TO: Transfer No. 75058
FROM: Kay Walker
DATE: May 19, 2009
RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add a point of diversion to a portion of Rt. 63-7778A, that was previously split by ownership change.

The site is located north of Deer Flat Road and west of Sky Ranch Road.

Contact person for the applicant is Roxanne Brown, SPF Water Engineering LLC, (208)383-4140.

Deviations from Transfer Policy Standards

Right was decreed with a 40 acre tract description of the point of diversion. This application proposes to change the point of diversion to another 40 acre tract. The proposed point of diversion is shown on map attached to application as located in the middle of the N1/2SWSE, Sec. 14, T2N, R3W. Application states that a precise location of the proposed well is unknown and the point identified on the map is a nominal point.

Summary of Information Submitted

Authority to File: Applicant is water right holder of record.

Water Right Validity: Right presumed to be valid because the partial decree was issued on **4/29/2009**, within the past five year period.

Injury to Other Water Rights: There should be no injury to other water rights. The land under the application has previously been irrigated under parent right.

Enlargement of Use: No enlargement should occur. Application filed for irrigation of 40 acres and applicant owns 40.2 acres in the proposed place of use pursuant to Canyon County tax lot information.

Local Public Interest: It is within the public interest to allow the applicant to drill a well on their property for irrigation of their land rather than having to share a well located on a neighboring property.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use(s) consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information &/or Analysis

Additional information applicant should provide none identified.

Additional IDWR analysis needed none identified.

Watermaster comments not applicable.

Other important comments requested include none identified.

Discussion

Data entry affected the correct record: initial data entry was based on adjudication recommendation. The right has been finalized in the SRBA and we should update the source table to reflect the water right as decreed. State office staff updated source record so entry could be done on decreed right.

SRBA status is finalized as of 4/29/2009 pursuant to partial decree.

Overlapping rights at existing &/or proposed P/U: No place of use overlaps or point of diversion overlaps at proposed site and/or original site.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 should be applied since a new well is proposed.