

MEMORANDUM

Date: August 05, 2009
To: Transfer 75696
From: ameritt
Re: sufficiency memo

Evaluation of Sufficiency of Information Submitted (Transfer 75696 in the name of Alan and Beverly Harper) 43-2546, 43-4000A and 43-4000B.

This transfer proposes to replace a failed well located in the SWNENW S6, T14S, R27E with a new well to be drilled in the adjacent 10 acre tract in SENENW S6, T14S, R27E. The rights included in the transfer are all associated with the well being replaced. These three rights are being made consistent as far as also listing a second well in the NWNESE S6, T14S, R27E. Right 43-2546 listed another well but it is no longer being used by Harper so it is being dropped from the right.

Review of the water rights and wells for the Harper farm shows that there are other overlapping rights serving the subject lands covered by this application and also other lands in the farm. After discussion with the applicant it was decided not to try to straighten all the rights up at this time but to focus on getting a new replacement well drilled. Mr. Harper will come in next winter to create a PPU and identify other wells in a common delivery system.

Authority to File:
All rights in the transfer are in the name of the applicant.

Water Right Validity:
All rights in the transfer were partially decreed in 2002 and no evidence is found that they have been partially forfeited.

Enlargement of Use:
No enlargement evident. This transfer only deals with change of point of diversion.

Injury to Other Water Rights:
None apparent.

Local Public Interest:
No major issue identified. Continued irrigation is in the public interest.

Beneficial Use/Conservation of Water Resources:
No Issue Identified.

Other issues:
The area where rights are located are not currently in an organized water district but are located in the Raft River Critical Ground Water area.

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.