

# MEMORANDUM

**Date:** May 04, 2009  
**To:** Transfer 75523  
**From:** bjordan  
**Re:** Transfer Evaluation

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This transfer proposes to change the point of diversion, change the place of use, change the period of use and change the nature of use to a portion of water right 25-2159. Applicants are expanding on to their dairy farm which will consist of approximately 750 dairy cows and a new milking facility. Applicant proposes to change the nature of use to a portion of water right 25-2159 from irrigation to a commercial and stockwater water right. The period of use will be changed to 01/01-12/31. Applicant needs 25.8 af (3.8af for commercial and 22.0 for stockwater) for their milking operation. According to the Rexburg AgriMet station Alfalfa consumes 679 mm (2.2 af) of water per year. In order to acquire the 25.8 af required for the applicants milking operation, 11.6 acres need to be dried up from water right 25-2159. Applicant will be drying up 11.6 acres to obtain 25.8 af and .32 cfs to operate their dairy farm year round. Applicants will be using an existing well and will be drilling a new well. Two points of diversions will be used to operate dairy farm. Commercial use will be used to wash milking parlor and operated milking facility. Stockwater use will for watering 750 dairy cows.

**Authority to File:**

Applicants are the current owner of water rights per IDWR Record and owner of property for the proposed place of use. Jerry G. Hall who is one of the applicants signed the application.

**Water Right Validity:**

Decreed in 2005. Forfeiture is not an issue. Nature of use is Commercial and Stockwater.

**Injury to Other Water Rights:**

Inside the ESPA and in Water district 120. Ground water model shows a less than 2.0 af/trimester impact to all reaches along the Snake River. No mitigation is required

Advertise to determine protest. Watermaster does not oppose transfer if it is conditioned to have a lockable diversion and a data Logger.

**Enlargement of Use:**

There is no evidence of enlargement of use.

**Local Public Interest:**

No issues identified.

**Beneficial Use / Conservation of Water Resources:**

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.