

MEMORANDUM

Date: March 19, 2009
To: Transfer 75440 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer #75440 proposes combining five ground water rights (36-2145A, 36-2721A, 36-2721B, 36-16499 & 36-16526) from an existing farm, changing the acreage slightly to reflect current irrigation practices and creating a new 466.5 acre permissible place of use. Two existing wells located on the farm will be used to divert 7.05 cfs to irrigate 419.9 acres within the proposed 466.5 acre permissible place of use. The farm is located approximately 0.1 miles west – 1.4 miles east and 1.9 -2.6 miles south of the center of Hazelton.

Note, the transfer requests a change of ownership for water right 36-16499 in the name of Edna Bolingbroke, to Russell and Lisa Patterson and will also correct the boundary between the Patterson and Standlee (36-16500) properties in the East ½ of Section 9 TWP 10S RGE 20E. Deeds are included with the application showing that the applicants actually own this strip of land.

The properties and points of diversion are located within Water District 130 and also inside the ESPA smooth water boundary. However, each right currently only lists one Pod and the transfer proposes adding an additional (existing) pod to each right. Each of the pod's are located within the same model cell so no hydrological impact is anticipated and a model analysis is not necessary. Recommended no advertising process.

- **Authority to File:**
The applicant's are listed as current owners of water rights 36-2145A, 36-2721A, 36-2721B, & 36-16526. The application includes a warranty deed and a quit claim deed showing the applicant's ownership of the lands involved with the transfer and the ownership change for water right 36-16499.
- **Water Right Validity:**
All rights (36-2145A, 36-2721A, 36-2721B, 36-16499 & 36-16526) were decreed in the SRBA in 2001. Review of recent aerial photos indicates that the acres are being currently irrigated so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. Both existing wells are located on the original farm and in the same model cell.
- **Enlargement of Use:**
None anticipated if appropriate conditions and limits are implemented.
- **Local Public Interest:**
No hydrological impact anticipated. No advertisement recommended.
- **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.