

MEMORANDUM

DATE: April 3, 2009
TO: Transfer 75403 File
FROM: Jeff Cooper
RE: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use for irrigation. The current place of use is located approximately 1.8 to 2.4 miles east and 1.3 to 1.8 mi south of Picabo. The proposed place of use is to encompass other areas within the parcel and will be located approximately 1.8 to 2.5 miles east and 1.3 to 2.3 miles south of Picabo. Irrigation will be limited to the 64 acres allowed under the current rights. No change is proposed to the point of diversion, which is located on Silver Creek approximately 2 mi. east and 1.7 mi. south of Picabo. The proposed changes occur within the jurisdiction of WD 37M, so watermaster comments will be needed.

The purpose of the transfer is to allow for flexibility in irrigation practices on the Simplot parcel. The transfer was a result of a compliance conference.

- **Authority to File:**
IDWR Records show water rights 37-141, 37-142, 37-143, 37-692A, and 37-939 as being owned by J.R. Simplot Co. The application was signed by Terry Uhling, whom according to the IDSOS business registry is the Secretary for J.R. Simplot Co. A Deed was provided by the applicant as proof of ownership of the proposed POU.
- **Water Right Validity:**
Water rights 37-141, 37-142, 37-143, 37-692A, and 37-939 were recommended to the SRBA court and are currently not objected to.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. Irrigation will be limited to the 64 acres allowed under the transferred rights within the new PPU.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use (Irrigation) 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.