

MEMORANDUM

Date: May 21, 2009
To: Transfer 75607 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to add a point of diversion into the adjacent tract to the south of the existing well. This proposed diversion was the old POD for these rights and is located approximately 60 ft. south of the existing POD. The new well does not produce well enough to match historical flows, so the applicants would like to add the old POD back to rights. Currently the place of use and points of diversion are located within the Raft River Critical Groundwater Area. All proposed changes to the rights will occur within the boundaries of that CGWA.

- **Authority to File:**
IDWR Records show rights 43-2307 and 43-10593 to be in the name of Kirtland and Janet Yates. The proof of ownership of the proposed POD was provided in the form of a quitclaim deed. Other deeds/tax assessments were also provided to show ownership of the place of use.
- **Water Right Validity:**
The rights to be transferred were decreed in the SRBA on June 28, 2002. Aerial imagery shows that full acres were watered, so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. The proposed new wells are located within the farm boundaries and are very close in proximity.
- **Enlargement of Use:**
None anticipated. Rights will be limited as previously decreed.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as beneficial uses 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.