

MEMORANDUM

Date: January 20, 2009
To: Transfer 73899
From: cpadilla
Re: Evaluation of Sufficiency of Information Submitted

The transfer purposes to combine 4 water rights into one combined system for use on a PPU. Water rights 63-11602, 63-3469, 63-7154, and 63-7247 will share two points of diversion (existing wells) and irrigate a PPU of 236 acres with a 212.3 acre limit.

The site is approximately 2 miles SW of the city of Kuna.

Contact person for the applicant is Scott King at SPF.

Summary of Information Submitted

Authority to File: The applicant is owner of record for all the water rights involved in the transfer. The applicant has also submitted deeds as additional proof of ownership.

Water Right Validity: Rights 63-7154, 63-3469, and 63-7247 were all decreed in 2007 so forfeiture is not an issue. Right 63-11602 was licensed in 1996 so forfeiture was evaluated. Based on 2004 and 2006 imagery, it does not appear that the full 12 acres under this right were irrigated. The most I came up with 9.3 acres. I notified Scott King to see if they can prove 12 acres have been irrigated within the last 5 years and he indicated that the applicant had not been irrigating those acres and they used that land to park farm equipment, both the applicant and the representative are aware that right 63-11602 will be reduced by 2.7 acres.

Injury to Other Water Rights: None anticipated

Enlargement of Use: The rights will be conditioned to prevent any enlargement from occurring. No surface water rights are found within the proposed place of use and I confirmed with SPF that there are no surface water rights appurtenant to the land within the PPU.

Local Public Interest: There is no known conflict with the public interest, however, this application will be advertised to determine that for sure.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial uses consistent with conservation of water resources in Idaho.

Discussion

The PPU that the applicant requested is 237 acres however the NESE does not have 41 acres available to irrigate. The maximum amount of acres available for that section is 40 acres therefore, the PPU will be modified to 236 acres and the NESE will have 40 acres irrigated.

The records have been pushed over from the adjudication side so the transfer will be acting on the correct records. The recommendation has been compared to the partial decree for each one of the decreed rights to ensure there are no discrepancies.

My overlaps analysis found that right 63-10912 was found to be in the same 1/41/4 as the proposed PPU however the place of use for that right is in the south half of the 1/41/4 while the PPU is in the north half. No other overlapping rights were found.