

MEMORANDUM

TO: Transfer No. 75448 File

FROM: Steve Lester

DATE: March 2, 2009

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to delete the 10 acre P/D information to accommodate an urgent well replacement problem.

The site is south of Weiser by the Weiser Airport.

Summary of Information Submitted

Authority to File: The applicants own right 67-14756 based on department records. A name connector for this record is not found in our database. Allow “&/or” to be used.

Water Right Validity: The right is valid based on the partial decree issued 10/20/2008 within the past five year period.

Injury to Other Water Rights: Injury is not expected unless identified by possible protests during the legal notice process.

Enlargement of Use: Enlargement is not proposed.

Local Public Interest: Continued irrigation serves the public interest unless otherwise determined during the protest period.

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

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

The right does not have any P/D or P/U overlap. The applicants filed a drilling permit application for a replacement well. The decreed P/D is in the NWSESE. The driller identified the proposed replacement well site in the NESESE but fairly close to the QQQ line “closer to power” as noted in the transfer application map. Allow the replacement

well described to the QQ instead of the QQQ since it is possible the proposed site could be slightly off or need to be further revised as things progress. There is no significant benefit in insisting on a 10-acre listing in this situation.

The existing well is apparently quite shallow based on file research. The proposed well will also be shallow, about 50 ft. deep (well drilling application). ArcMap research shows the following information:

- A single well centroid in SESE for domestic use under 5 names not found for any tax lots in the QQ. The 5 well records show 1972-1978 uses from wells 28-45 ft. deep, although 1 record lists 325 ft. deep. Although not clear exactly where these wells are, most likely they are in the south half of SESESE S8 per 2004 and 2006 aerial photos. It is also possible these wells are no longer used or are incorrectly located in the GIS layer.
- Two SRBA Recommendation P/Ds nearby, (a) 67-4424 for Michael well, NESWSESE, and (b) 67-4425 for Applegate well, on line between SESESE S8 and SWSWSW S.9.
- Applicants replacement well will be slightly closer to Michael and considerably closer to Applegate compared to applicants existing well. The replacement well will probably be closer to the domestic wells noted above.

Based on the above research, legal notice for the simple P/D change should be used to see if any protests result.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.