

MEMORANDUM

TO: Transfer No. 74951

FROM: Kay Walker

DATE: March 6, 2009

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add a point of diversion to this portion of original Rt. 63-3429 which has been split into 2 ownerships.

The site is located on the east side of Horseshoe Bend Road and north side of Brookside Lane.

Contact person for the applicant is consultant Lori Graves, Water Rights Specialist at SPF Water Engineering, LLC (208-383-4140).

Deviations from Transfer Policy Standards

There is an error of the water right number under item A2, page 1 of 6. The remark identifies partial decree 63-31868 but the number should be shown as 63-31838 (as correctly identified under item B1).

Partial decree was issued with 2 points of diversion. One was described to a 10 acre tract and the other to a 40 acre tract. The transfer application lists the proposed point of diversion to a 40 acre tract. In review of map attached to application it appears that the well will be developed in the SWSWSE, Section 26, T05N, R01E. The GIS shape will be added to arc view as shown on the map but the transfer should show the point to a 40 acre tract as proposed.

Summary of Information Submitted

Authority to File: Applicant is current water right holder on SRBA decree.

Water Right Validity: Right presumed to be valid because the partial decree was issued on **3/14/2007** within the past five year period.

Injury to Other Water Rights: No injury should occur since land was previously irrigated under Rt. 63-3429 and this is a split off of that right.

Enlargement of Use: No enlargement should occur. The applicant only owns 32.26 acres within this area pursuant to tax lot records in arc view and this proposal is for the irrigation of 32 acres.

Local Public Interest: It is within the local public interest to allow the property owner to have a well on his property for irrigation purposes rather than having to share a well with another property owner.

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.

Additional Information &/or Analysis

Additional information applicant should provide:

1. Information needed regarding the proposed well and the well that the original right was diverted from would be helpful to determine how this proposal will impact the B63 shallow ground water area above Star. A well log of the existing well was not found through well construction queries.
2. Information on how the proposed well will developed to avoid interference with the creek located in same 40 acre tract.
 - a. Pursuant to phone conversation with consultant 3/11/09, the well will be cased below first confining layer so interference with creek should not be an issue.

Discussion

Data entry affected the correct record – originally based on AJ record. Requested State Office change the source table to WR record. Data entry completed on the partial decree, in water right records, after source table correction by the State Office.

SRBA status finalized by issuance of a partial decree on 3/14/2007.

Overlapping rights at existing &/or proposed P/U consist of Rt. 63-2090 which overlaps 17 acres of the 32 acres under this right. The overlap was addressed in the SRBA and the same conditions should be applied.

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.

Condition 046 is applicable since a new well is proposed.