

MEMORANDUM

TO: Transfer No. 73418

FROM: Kay Walker

DATE: September 18, 2008

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to combine two decreed rights (51-2211 & 51-2212) into a single system. The wells have been tied together with a common mainline and pivots installed. There are no additional acres added to the rights and no new well is intended.

The site is located approximately 4 miles south west of Snake River Birds of Prey Area.

Contact person is the applicant, i.e. Greg Callen Farms LLC at 208-539-2722.

Summary of Information Submitted

Authority to File: Applicant has submitted a copy of warranty deed showing their ownership of the lands under this filing; they also attached a copy of Secretary of State's business entity report showing the LLC is authorized to do business in Idaho.

Water Right Validity: Right presumed to be valid. Right was licensed/decreed more than 5 years ago but beneficial use was confirmed in most recent 5 years by aerial photography dated 2004 and 2006.

Injury to Other Water Rights: No injury to other rights should occur. The applicant is not planning to use any more water or water any more acres than previously done under licensed/decreed rights.

Enlargement of Use: No enlargement of rights should occur.

Local Public Interest: It is in the public interest to allow applicant to convert from hand lines and wheel lines to pivots.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use(s) 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

Other important comments include a note from applicant that they are correcting the annual volume amount to the standard of 4.0 afa per acre. It should be noted that the licensed rights allowed 5.0 afa per acre and there was no error made in the SRBA recommendation concerning the annual volume. If the applicant wants to reduce the volume amounts they should be able to do so.

There is no need to advertise this application statewide since these are existing rights and the quantity under each right is less than 10.0 cfs.

The points of diversion fall within the Bruneau-Grandview Ground Water Management Area (GWMA). However, since these are existing rights and no new wells or acres are proposed, there should be no impact on the GWMA.

Discussion

Data entry affected the correct record since records were decreed in 2000 and 2001 the water rights had been migrated prior to application entry.

Overlapping rights at existing &/or proposed P/U do not exist. The only rights on the lands under this application are covered under the rights included in the transfer application.

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 not applicable since a new well is not proposed. Applicant has tied existing wells together through a common mainline.