

M E M O R A N D U M

Date: September 10, 2008
To: Transfer 74773 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

This application proposes to create a permissible place of use (PPU). Water rights 37-2683A and 37-7349A are irrigation rights currently combined to be limited to 158.2 acres. The proposed PPU will allow for irrigation of these 158.2 acres within 200.1 acres. The application indicates that the irrigation system is currently connected together and seeks no change to the number and location of existing points of diversion for each water right. As the water rights are apparently pumped into and rediverted out of Silver Creek, these existing diversions fall under the jurisdiction of WD 37M (as set forth in the conditions in the recommendation and license), so water master comments will be needed. The current and proposed place of use is located approximately 0.6 to 1.5 miles north of Picabo. The current points of diversion proposed to be combined are approximately located the following distances from Picabo: 0.75 miles north, 0.7 miles north, 0.2 miles east and 0.5 miles north, 0.2 miles east and 1.5 miles north, 2.1 miles west and 1.0 mile north, and 2.2 miles west and 1.0 mile north.

- **Authority to File:**

IDWR Records show water rights 37-2683A and 37-7349A as being owned by the Brett & Patricia Bashaw Family Trust. Gerald Bashaw signed the application and is indicated to be a managing member of the trust. The proposed PPU is located on Tick Tock LLC property to which Gerald Bashaw is the manager. The water rights listed above are also appurtenant to the parcels which the proposed PPU will be located on.

- **Water Right Validity:**

Water right 37-2683A was recommended to the SRBA court and is currently not objected to. Water right 37-7349A is based on a license with beneficial use being filed on September 30, 1992.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated. Rights will be limited to the 158.2 acres within the new PPU.

- **Local Public Interest:**

No negative impacts anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use 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.