

MEMORANDUM

Date: October 3, 2008
To: Transfer 75076 File
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to drill a new well and add a point of diversion to two water rights currently authorized to pump a total combined diversion rate of 4.98 cfs, 1700 AF, from three existing wells for the irrigation of 425 acres within a 499 acre ppu. The system currently uses one well located on the applicants property and two located on the neighbors property. This new well will be on the applicants property. In 2002 transfers were approved for Poteet and Miller to add each others wells to their systems, 69569 for Poteet (this applicant) and 69570 for Miller (the neighbor). The applicant said this new well would not be piped so as to be used by the neighbor so I considered those four rights, 36-2105A, 36-2342A, 36-2538A, and 36-7823A, to be Associated Rights with just the Conditions (X36 which is now inactive replaced with the active F06) updated. (36-10852 had a weird condition [X62] which limited it to 13,000 gallons per day. This did not make sense on an irrigation right so I removed it.) There was a well agreement in the previous transfers signed by the Poteets and the Millers. The applicant stated that this is still in effect so I made a copy for this transfer file. No CREP contracts were found for this property. Proposed use is within WD130 so Water Master comments will be needed. Location of the proposed well is approximately 8 miles north and 12.5 miles east of Rupert.

The new well is not expected to affect the associated rights of the neighbors (Miller) property because those rights have plenty of water and two smaller pumps. The existing well at the Poteet property has a 350 hp pump but has not been able to provide the water needed and has been using the water from the Miller property. The new well will hopefully provide the Poteet property with its decreed diversion rate so the Miller wells will not be needed for any additional water and no transfer of the Miller rights needed at this time. It was therefore determined that there would be no hydrologic impact from the new well so the transfer can be approved in the Region with no advertising. Mr. Poteet came into the office and we went over his place of use shape and made changes to show actual irrigated acres, leaving the total PPU for his rights as 470.9 acres.

- **Authority to File:**
Both rights are currently in the name of Richard and Sherma Poteet. Quitclaim deeds were provided from the Poteets to Triangle P, LLC so approval of the transfer will change the ownership of the two records. Triangle P, LLC is an active entity according to the Secretary of States page and Sherma Poteet is the Manager and authorized agent. Farm Credit is the lien holder on the property and a letter was provided from them agreeing to the transfer.
- **Water Right Validity:**
Right 36-2089 was decreed on 12/3/2001 and 36-10852 was decreed on 12/4/1997. Recent aerial photos of the area show apparent irrigation so forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated. The existing well on the applicants property is located in cell 83, 73; one of the wells on the neighbors property is in 83, 72 and the other is in 82, 73. The new well will also be in 82, 73. All of these cells are adjacent so no mitigation should be required and there will be no hydrologic impact by adding a well in same model cells.
- **Enlargement of Use:**
None anticipated. Location is within Water District 130 so measurement and reporting will be required.

- **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.

MEMORANDUM

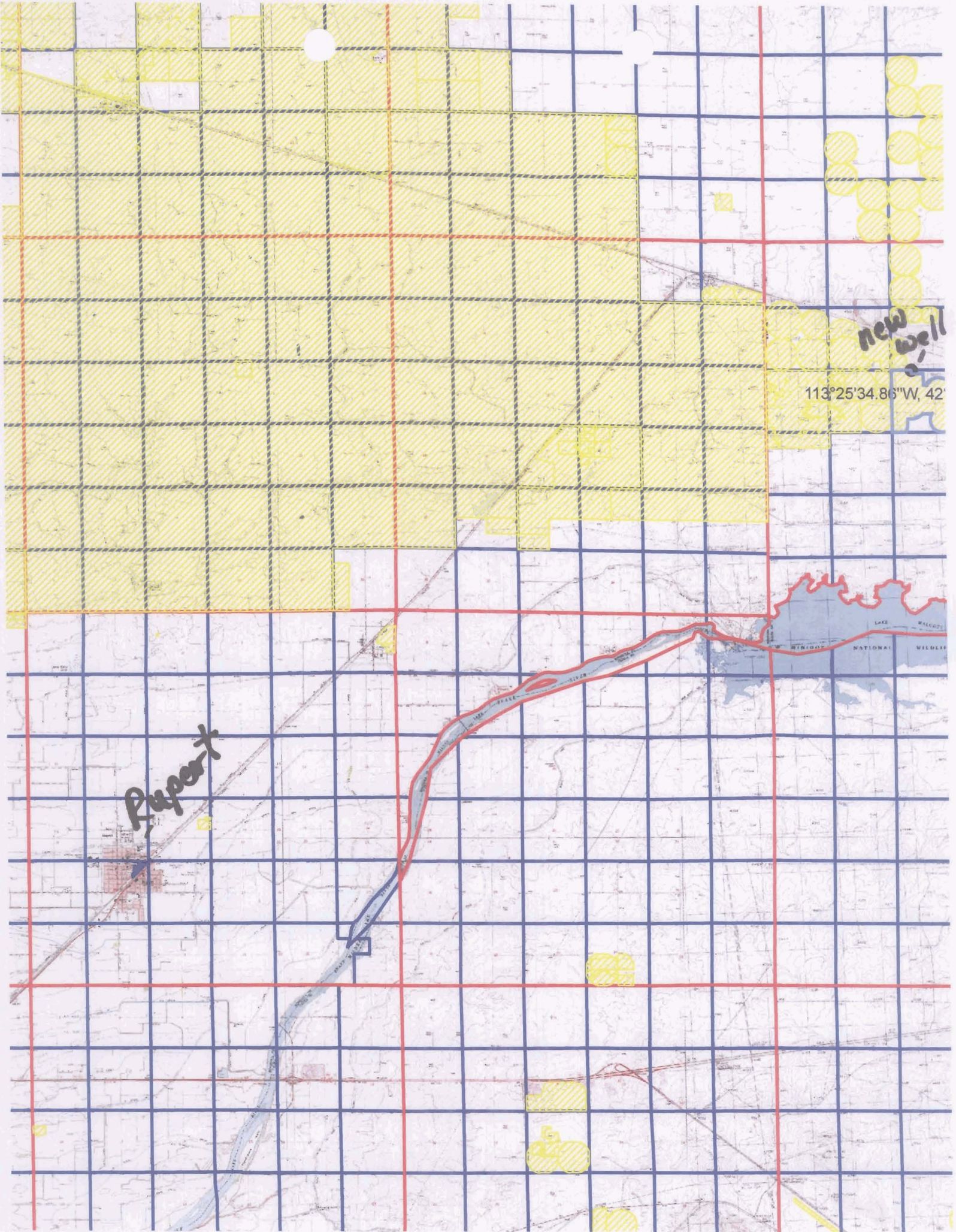
Date: October 03, 2008
To: Transfer 75076
From: jroberts
Re: Legal Notice Remarks

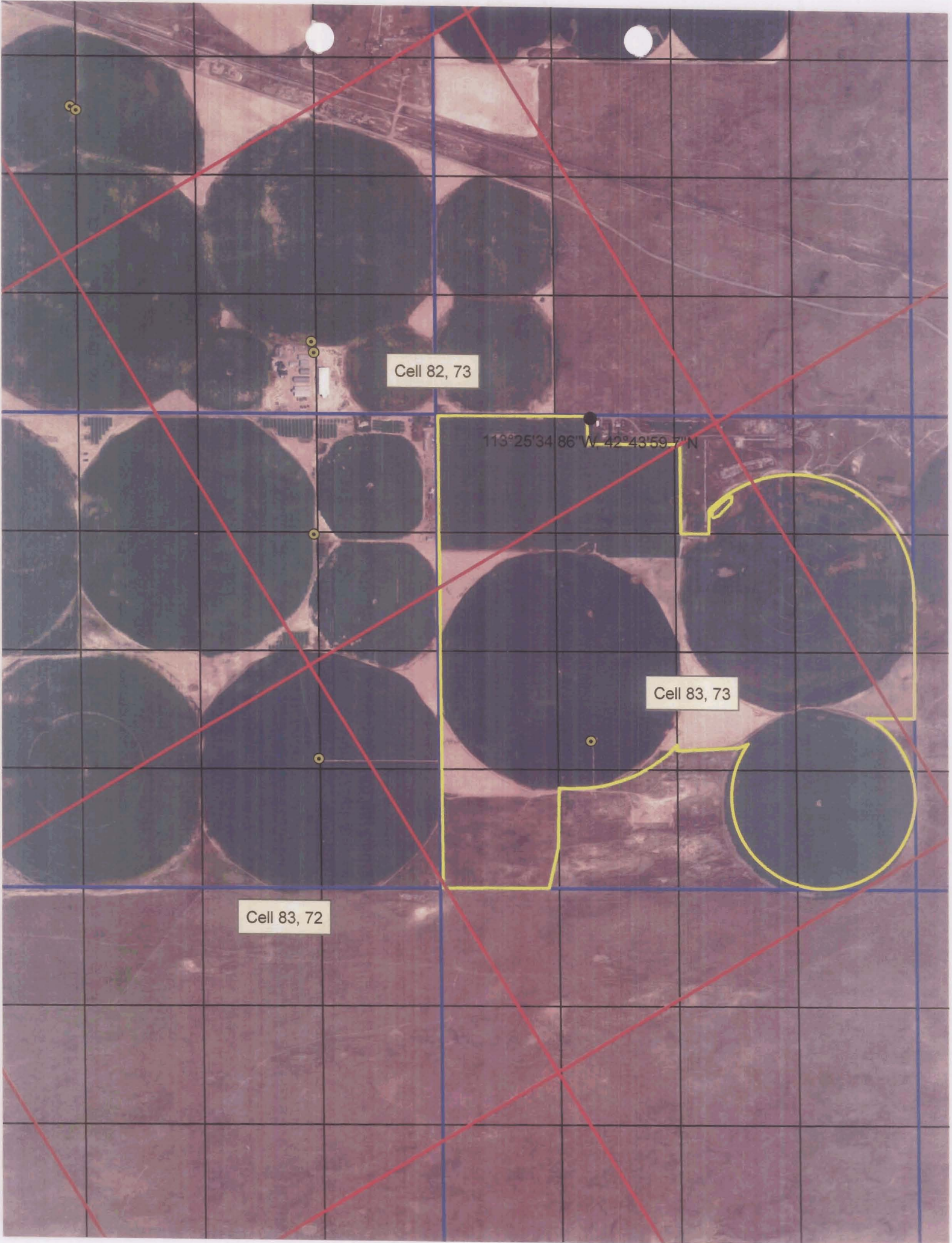
Transfer proposes to drill a new well and add a point of diversion to two water rights currently authorized to divert a combined total of 4.98 cfs and 1700 AF from three existing wells for the irrigation of 425 acres within a 499 acre permissible place of use. Location of the proposed well is approximately 8 miles north and 12.5 miles east of Rupert.

Report

new well

113°25'34.86"W, 42'





proposed
new well

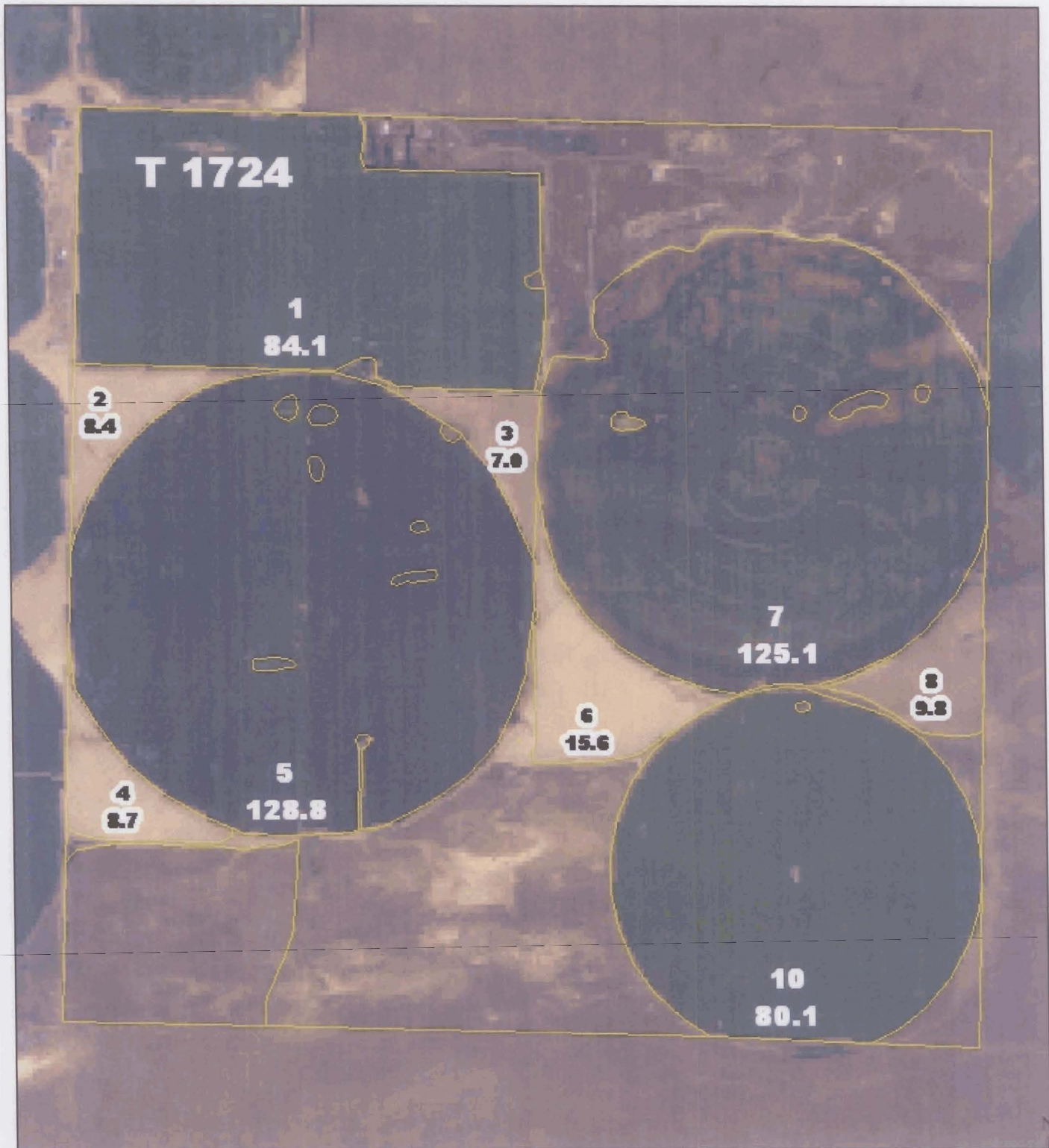
113°25'34.86"W 42°43'59.7"N

16

out

out

T08S
R26E



United States Department of Agriculture
Farm Service Agency

Grid:

Minidoka County

Tract 1724
Farm 1213

1:9,540

REVISION 11/12/2005 1:10

October 03, 2006

