

MEMORANDUM

Date: August 1, 2008
To: Transfer 74518 File
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

Transfer seeks to create a ppu of 5,223.5 acres, limited to 4,128.8 acres within, during any one year, by combining 16 ground water rights diverting a total of 70.8 cfs and 16,419.6 acre feet from 14 existing wells. One additional existing will be used and up to 6 new wells will be drilled, for a total of 21 wells, in order to provide greater flexibility in their irrigation practices. Right 43-2473 was split up front into 43-13603 and 43-13604, and right 43-2569 was split up front into 43-13577 and 43-13578, in preparation for this and another transfer, 72670. This transfer deals with rights 43-13603 and 43-13577. (Transfer 72670 deals with rights 43-13604 and 13578 for a dairy.) Some of the rights already had combined limits for overlaps which I carried through, but during my overlap analysis and review, I noticed that there were some overlapping acres on rights 43-2473, 43-2488, and 43-2519, which were not previously conditioned. Rights 43-13603 (part of 43-2473), 43-2488, and 43-2519 should be limited to a combined total of 760 acres and 3040 AF, so I added another X35 condition to these three rights to show this. The wells are located outside the Smooth Model Boundary of the ESPA and outside of any current water districts. Most of the place of use, that south of Yale Road and all but the acres in Section 30, is just inside the north boundary of the Raft River Critical Groundwater Area, approximately 13.5 miles north of Malta, on the south side of Yale Road, between 3.5 and 6.5 miles east of the Interstate.

Transfer 72670 was amended four times and then this companion transfer 74518 was also filed. The final fee for 72670 ended up to be \$290.00 for the 1.91 cfs. The fee for 74518 was \$2,030.00 for 70.8 cfs. So a total of \$2,320.00 was needed for both. There are three receipts associated with these two transfers: S028260 for \$330.00, S028639 for \$160.00, and S029995 for \$1,871.00 for a total paid of \$2,361.00. Looks like they overpaid by \$41.00 so I will initiate a refund request.

- **Authority to File:**
IDWR Records show all of the water rights in the name of the applicant, Cassia Creek Farms, LLC. Application states that there is no lien holder on the property. (The ownership change documents from Sun Valley Agribusiness to Cassia Creek Farms was received in 2004 and the documents have been scanned under 43-2471.)
- **Water Right Validity:**
Of the 16 rights, partial decrees were issued for twelve of the rights on 5/04/2004 and the other four rights on 7/12/2004, so forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
Measurement and reporting should be required as this is in a critical ground water area and up to six new wells are proposed.
- **Enlargement of Use:**
None anticipated as long as the acre limits within the ppu are adhered to.
- **Local Public Interest:**

No negative impacts anticipated.

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

Proposed use is recognized as a beneficial use of water. The applicants wish to have greater flexibility for irrigation purposes within their property boundaries.

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.

YALE RD.

POW

MALTA

24	19	20	21	22	23	24	19	20	21	22	23	24	19	20	21
25	30	29	28	27	26	25	30	29	28	27	26	25	30	29	28
36	31	32	33	34	35	36	31	32	33	34	35	36	31	32	33
1	6	5	4	3	2	1	6	5	4	3	2	1	6	5	4
12	7	8	9	10	11	12	7	8	9	10	11	12	7	8	9
13	18	17	16	15	14	13	18	17	16	15	14	13	18	17	16
24	19	20	21	22	23	24	19	20	21	22	23	24	19	20	21
25	30	29	28	27	26	25	30	29	28	27	26	25	30	29	28
36	31	32	33	34	35	36	31	32	33	34	35	36	31	32	33
1	6	5	4	3	2	1	6	5	4	3	2	1	6	5	4
12	7	8	9	10	11	12	7	8	9	10	11	12	7	8	9
13	18	17	16	15	14	13	18	17	16	15	14	13	18	17	16
24	19	20	21	22	23	24	19	20	21	22	23	24	19	20	21
25	30	29	28	27	26	25	30	29	28	27	26	25	30	29	28
36	31	32	33	34	35	36	31	32	33	34	35	36	31	32	33
1	6	5	4	3	2	1	6	5	4	3	2	1	6	5	4
12	7	8	9	10	11	12	7	8	9	10	11	12	7	8	9
13	18	17	16	15	14	13	18	17	16	15	14	13	18	17	16
24	19	20	21	22	23	24	19	20	21	22	23	24	19	20	21
25	30	29	28	27	26	25	30	29	28	27	26	25	30	29	28
36	31	32	33	34	35	36	31	32	33	34	35	36	31	32	33
1	6	5	4	3	2	1	6	5	4	3	2	1	6	5	4
12	7	8	9	10	11	12	7	8	9	10	11	12	7	8	9
13	18	17	16	15	14	13	18	17	16	15	14	13	18	17	16
24	19	20	21	22	23	24	19	20	21	22	23	24	19	20	21
25	30	29	28	27	26	25	30	29	28	27	26	25	30	29	28