

MEMORANDUM

Date: October 10, 2008
To: Application for Permit 47-17497 (Linak-Byrne) File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes diverting 0.04 cfs of ground water for domestic use located on the east side of highway 30 approximately 7.2 miles North and 5.1 miles west of the city of Buhl. An existing well (drilled 3/26/2008 as a domestic well) located on the property will serve as the point of diversion. The applicant attempted to drill a cold water well for domestic use, and in the process was only able to encounter hot water. The applicant has submitted a Request for Exemption of use of the Low Temperature Geothermal Resource for purposes other than for its heat value as outlined under Section 42-233(1), Idaho Code.

The applicant has a water right (47-17376) from an additional existing geothermal well for Domestic, Recreation and Heating use. This old well will be used primarily for heating of the home.

Examination of Department records indicates several potential overlaps. The water rights found during the overlap analysis have nominal shapes within the 40 acre tract but have different points of diversions. The only water right that is appurtenant to the same place of use is the applicants water right (47-17376) for heating.

- **Effect on Other Water Rights:**
Proposed groundwater use is relatively small. If application is approved, and a permit is granted, it will be one of the more junior ground water rights in the area.
- **Sufficiency of Water Supply:**
Well has already been drilled (see well drilling permit 850924 & corresponding well log).
- **Application Made in Good Faith:**
Well has already been drilled and current application is an attempt to obtain a water right for use from the existing well as a cold water well.
- **Financial Resources:**
Well has already been drilled, so the primary expense of the development is not applicable.
- **Local Public Interest:**
No issues anticipated. Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-203A Idaho Code or the Water Appropriation Rules (IDAPA 37.03.08) preventing processing of this application.