

M E M O R A N D U M

Date: August 26, 2008
To: Transfer 74522
From: jstanton
Re: Comment/Analysis

This application modifies the existing groundwater rights on this farm to reflect current and planned future irrigation. Some of the land is sprinkled directly from the wells, and some land uses both groundwater and Salmon River Canal Co. shares; water can be moved around as needed. The transfer also changes ownership from family members to the family corporation. The transfer appears to be approvable with standard conditions.

Authority To File: IDSOS records verify corporation members, and tax records verify land ownership. Some property is still owned by the mother of the current members, and she has signed a release agreeing to the transfer. She is not well, and the presumption is that the LLC will own all the land fairly soon. This does not appear to be an issue.

Water Right Validity: There are two licenses not involved in the SRBA, and one that is but with no decree yet. Forfeiture does not appear to be an issue.

Injury To Other Rights: There should be none with proper conditions.

Enlargement of Use: The proposed ppu is larger than the annual acreage allowance, and the applicant understands that the existing limits still apply. The supply of surface water available to this farm can vary greatly, so creating the large ppu will allow them to get the maximum benefit from whatever water they have available. The standard supplemental conditions are in place, and this will not change. I expect that some of this land will not be irrigated when surface supplies are low.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. Almost all of this land is sprinkled for maximum efficiency of water use.

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.