

MEMORANDUM

TO: Transfer No. 73771 File
FROM: Steve Lester 
DATE: January 17, 2008
RE: Evaluation of Sufficiency of Information Submitted

PLEASE EXPEDITE PER APPLICANT REQUEST – CONCERNS ABOUT MORE WELL FAILURES

The transfer adds several well sites to four water rights covering irrigation and a dairy. The application results from a recent well failure for one of the three existing P/Ds. The site is in the southeast part of the Mt. Home GWMA.

Contact person for the applicant is Steve Hannula, ERO Resources.

Deviations from Transfer Policy Standards

Transfer guidelines suggest identifying P/Ds to 10-acre tracts when confirmed. P/Ds for the rights are currently described to 10-acre tracts. The applicant requests all diversions be described by 40-acre tracts for maximum flexibility in the event of additional well failures. This is reasonable, particularly since existing (and proposed) P/Ds are ½ mile or more from other owners' wells (see application Attachment A, remarks). Additionally, current locations of power poles for cost effective new pumping sites are not good fits with 10-acre P/Ds. The benefit added by allowing this flexibility outweighs the cost of restricting 3 P/Ds to 10-acre tracts. Therefore, the draft approval reflects 40-acre P/D sites.

Summary of Information Submitted

Authority to File: The rights are held by the applicant, confirming authority to file the application.

Water Right Validity: The rights were decreed in the SRBA and were last updated by approved Transfer 71617 in early 2005. The rights are valid.

Injury to Other Water Rights: Injury is not found under this proposal.

Enlargement of Use: Enlargement is not found under this proposal that only addresses additional well sites.

Local Public Interest: The application appears to be in the local public interest by supporting an existing business.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial uses consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information &/or Analysis

The original application was filed in February 2006 and amended a few times. The final version being processed is the January 3, 2008 proposal that includes:

- Page 1 and Attachment C (map) received 1/3/08
- Pages 2-11 and Attachments A and B from the 12/10/07 version
- Full payment of \$850 fee covering 16.0 cfs (previous payment limited new well use to \$530 category).

The applicant described well sites for 2 existing wells (blue dots on map), a replacement well for 1 failed well (red dot), plus 4 additional sites (red dots) for a total of 7 P/Ds.

Existing conditions of approval from Transfer 71617 apply to this new application. Other conditions are not needed.

Note the existing condition of approval requiring annual measurement and reporting of water used for the dairy portion of the operation. State Office Water Distribution Section is following up on compliance with that (SO will send a letter to owner per email and telephone exchanges between Western and SO in that regard, contact Dan Nelson for information). Allow SO follow up for that reporting to continue while this new transfer is expedited.

Comment letters for this application will be sent to the Mt. Home GWMA Advisory Committee plus to the protestant in prior Transfer 71617.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as shown in the draft approval.