

MEMORANDUM

Date: January 4, 2008
To: Transfer 74394 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to move the place of use. The current PPU spreads 116 acres across four QQs (NWNW(26 acres), SWNW(10 acres), NWSW(40 acres), SWSW(40 acres)). This PPU was recommended because Minidoka Irrigation claimed many of the acres the applicant also claimed during adjudication. In order for the right to remain whole and not supplemental, the department recommended he amend his claim as it was recommended and subsequently partially decreed. After the partial decree, Minidoka Irrigation realized they had made a mistake and that the acres were actually contained to the NWNW quarter. This created a problem when the applicant applied for the CREP program. Cindy Yenter (Watermaster WD130) researched the problem and gave the information provided above. The applicant then decided to transfer the current acres back to where it was originally claimed (SWNW(38 acres), NWSW(39 acres), SWSW (39 acres)). The current POD will be used. The only valid water rights for this well are the applicants (36-7702). The proposed change is located within WD 130 so Watermaster comments will be needed.

- **Authority to File:**
IDWR Records show rights 36-7702 to be in the name of Dean B. Shaw. The POU falls in the same tax lots as the water right stands now, so IDWR records were supposed to be sufficient as proof of ownership.
- **Water Right Validity:**
The right to be transferred, 36-7702, was decreed in the SRBA on December 18, 2001.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated. The location of the new POU will cover currently irrigated acres.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use of irrigation 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.