

MEMORANDUM

Date: November 12, 2007
To: Transfer 73469 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes transferring a stock water and commercial water right, 45-7100, appurtenant to a dairy site located approximately 0.7 miles north and 0.9 miles east of the center of Declo to municipal use associated with the Spring Creek Terraces Subdivision located approximately 2.8 miles west of the center of Declo. Two existing wells located at the Spring Creek Terraces Subdivision will serve as the points of diversion. The application is in the name of Elden and Melba Jean Lind and once the transfer is approved Spring Creek Terraces will submit an ownership change to the Department to update their ownership of the right. Since dairy rights are viewed as 100% consumptive, the diversion volume transfers with no reduction in the change in nature of use. The current and proposed points of diversion are located within the ESPA and Water District 140, but are located within adjacent model cells (old groundwater model) so no model analysis is required.

- **Authority to File:**
The applicants are listed as the current owners of the right according to IDWR records. A letter signed by a Spring Creek Terraces Subdivision representative agreeing to the transfer is included with the application. Once the transfer is approved, Spring Creek Terraces Subdivision will submit an ownership change to the Department to update their ownership of the right. Spring Creek Terraces is a public water supply system regulated by IDEQ, so they can be viewed as a municipal provider.
- **Water Right Validity:**
The right involved with the transfer was decreed in the SRBA in May of 2005.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. Dairy rights are viewed as 100% consumptive so no reduction in the diversion volume is required due to the change in nature of use.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use 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.