

MEMORANDUM

Date: April 3, 2007
To: Application for Permit 72-16601 (Tait Johnson) File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes diverting 0.12 cfs of ground water for the irrigation of 2.2 acres and stock water and domestic use on property located between Highway 75 and the Salmon River approximately 0.35 miles south and 9.9 miles west of Clayton. An existing well (drilled in 2001 as a domestic well) located on the property will serve as the point of diversion. Examination of Department records indicates several potential overlaps. Decreed right 72-2088B, from Burnt Creek, is for domestic irrigation (not to exceed ½ acre) and overlaps with the proposed irrigation place of use. Application for permit 72-16710, from the Salmon River, overlaps the same irrigation and stock water place of use (same use, different source). Decreed right 72-10385 (groundwater D & S) is from a different well for a different domestic use (older home) and perhaps the same stock water use. As indicated in the water master comments for Application for Permit 72-16710 from the Salmon River decreed right 72-4183, in a different name than the applicant, could be viewed as a partial irrigation overlap. However, examination of the SRBA claim files indicates that the right appears to be owned by the neighbor to the west of the applicants property. Note that the property involved with this application and right 72-4183 are very close to the East 1/16 point within Section 29 so the exact QQ designation probably depends on some interpretation of exactly what photo rectification to use. During the SRBA process, the applicants law firm explored exactly what right(s) went with the applicants property and it was concluded that right 72-4183 was not owned by the applicant. Note that due to how right 72-4183 was decreed, and where the POU shape is drawn, the current owner of right 72-4183 should probably file a transfer to clearly record all of the right to their property.

- **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. Irrigation use should be supplemental to surface water source(s) used for same use. In addition, the well has been operational for a few years with no reported complaints from neighbors.

- **Sufficiency of Water Supply:**

Well has already been drilled (see well drilling permit 768467 & corresponding well log). Applicant indicates that the existing well is adequate (produces about 50 gpm) to supply the anticipated water need(s).

- **Application Made in Good Faith:**

Well has already been drilled and current application is an attempt to obtain a water right for use from existing well.

- **Financial Resources:**

Well has already been drilled, so the primary expense of the development is not applicable.

- **Local Public Interest:**

The applicant has solicited comments from interested agencies, and comments have been received from the IDF&G, and the IDEQ, with no negative comments or concerns raised.

- **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.