

MEMORANDUM

TO: Transfer No. 72518

FROM: Sharla Curtis

DATE: December 27, 2005

RE: Evaluation of Sufficiency of Information Submitted

The purpose of the transfer is to identify a total of five (5) wells that are used by the two rights involved in the transfer for domestic and irrigation use within Pioneer Mobile Home Park. Each right currently lists one point of diversion within the NWNE, S15. Wells numbered 1, 3, 4, 5 and 6 are used for the domestic use and irrigation of lawns associated with Lots 1-6, 8, 11-19 and 21. A new application for permit (57-11680) has been filed to cover lots 9, 10 and 20 from the same wells.

The consultant for the applicant is David Shaw of ERO Resources Corp.

Authority to File: Applicants are the owners of record.

Water Right Validity: Rights presumed to be valid; licensed in 1994 and 1999. 2004 NAIP photography confirms domestic dwellings and irrigation of lawns associated with the mobile home park.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement of use will occur; transfer simply identifies all wells used in the system.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicants propose beneficial use 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.

Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the conditions of approval listed on the draft transfer approval should be applied.

Additional Info: Per contact with the applicant by Dan Nelson, he confirmed that the applicants pay for surface water from Gem Irrigation District. They are on a rotation basis and do not get the water on a very regular basis. Because of that, at some times

these ground water rights are probably the primary rights for the property. The standard supplemental conditions have been added to ensure the right holders will use whatever surface water they can get first, when they can get it. He also confirmed that no common areas are irrigated under these rights. The applicants amended the front page of the application to show a ppu of 7.92 acres.