

MEMORANDUM

Date: July 25, 2006
To: Transfer 72870 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

The primary purpose of this transfer is to convert a 9.0-acre portion of an irrigation ground water right, 45-7462C, to stock water use associated with the expansion of an existing feedlot operation. The 9.0 acres being converted, and the feedlot operation, are located approximately 1.75 –2.0 miles south and 7.5 –7.75 miles east of Rupert. An existing well located at the feedlot site will serve as the proposed point of diversion. The existing right, 45-7462B, at the feedlot is included in this transfer to update ownership of the right, correct the SDE link to the correct well location, and to delete an irrelevant condition on the right (combination limit between only rights 45-7232A and 45-7232B). In addition, the transfer involves an associated right, 45-7232E, that was included to address the combination limit between it and the untransferred portion of right 45-7462C (45-14019). Note that right 45-7462C is being split disproportionately ($\approx 8\%$ of acres but only $\approx 2\%$ of diversion rate). Also note that the applicant has conveyed the remaining portion of the diversion rate back to PKD Properties (in-laws) for diversion from the irrigation well pursuant to a deed included with the application. The feedlot site is located in the ESPA, but not currently in a water district, and in the West Measurement District. The irrigation well involved with the transfer is part of the Magic Valley Groundwater District.

- **Authority to File:**
Applicant has included copies of warranty deeds showing chain of title from the current owner of record. Ownership of rights will be updated in this transfer pursuant to submitted deeds.
- **Water Right Validity:**
All the rights were decreed in the SRBA in May of 2005.
- **Injury to Other Water Rights:**
None anticipated. The change in point of diversion is less than a $\frac{1}{4}$ mile and both wells (irrigation well and feedlot well) are located within the same cell in the ESPA Groundwater Model.
- **Enlargement of Use:**
None anticipated if appropriate conditions and limits are implemented. Conversion from irrigation to stock water use is based on alfalfa in the Rupert area ($IR = 2.98$ afa/acre) pursuant to FSA crop reports submitted by applicant. Basing the conversion from irrigation to stock water use on consumptive use allowance actually results in an overall reduction in the allowable diversion volume before the transfer vs. after the transfer.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **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 42-222 Idaho Code preventing processing of this application.