

Revised
MEMORANDUM

Date: April 27, 2006
To: Transfer 72598
From: ameritt 
Re: sufficiency memo

This transfer follows recently approved transfer 72271 dealing with the same rights. The purpose of this new transfer is to change the ownership of the rights into the name of the trust that owns the land and to place it into a PPU for the lands irrigated that are owned by the trust. Placing these groundwater rights into a 1029 acre PPU will allow flexibility to use these rights in pivots and sprinklers in areas that previous T 72271 did not identify. The rights will be limited to 744 acres in any one year and portions of the rights will continue to overlap Sublett irrigation shares. The site of the PPU is on the farm located south of Sublett Road approximately 10.0 - 12.0 miles due east of the center of Malta. The rights allow for a total diversion of 10.00 cfs of groundwater for the irrigation of 744 acres. To avoid potential expansion of the groundwater a review of acres originally licensed and acres covered by Sublett Irrigation Co. shares was undertaken. It was found that at the time of the partial decrees there were essentially 516 acres of the 744 acres being served by groundwater only with the remaining 238 acres being supplemental to Sublett Irrigation shares.

· **Authority to File:**
IDWR records show the trustees as some of the current owners of the rights involved with the transfer. The trustees have provided a deed from the other listed current owners to the trust.

· **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA in 2002 and were recently modified by transfer 72271.

· **Injury to Other Water Rights:**
None anticipated.

· **Enlargement of Use:**
None anticipated if rights limited to provide only 499 acres of primary groundwater use and 245 acres of supplemental use.

· **Local Public Interest:**
Application will be subject to public notice and protest. Approval would allow flexibility in farming the trust farm.

· **Beneficial Use/Conservation of Water Resources:**
Proposed use (irrigation) is recognized as a beneficial use of water and sprinkler systems are used for irrigation purposes.

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.

Amended Analysis of Primary and Supplemental acres for Rights 43-2518 and 43-10843									
Twp	Rge	Sec	QQ	Total Acres	Acres Supplemental	Acres Primary			
13S	28E	2	SWSW	40	40				
			SESW	31	31				
		3	NENW	23		23			
		10	SENE	40	40				
			NESE	40		40			
		11	SWNE	38	19	19	*		
			SENE	37	35	2	*		
			NENW	38	35	3			
			NWNNW	34	17	17			
			SWNNW	40	40				
			SENNW	36		36			
			NESW	40		40			
			NWSW	40		40			
			SWSW	34		34			
			SESW	25	25				
			NESE	34		34			
			NWSE	40		40			
			SWSE	39		39			
			SESE	29		29			
		12	NWNNW	12		12			
			SWNNW	35		35			
		14	NWNNW	19		19			
				744	282	462			
					19	19	*		
					35	35	*		
					228	516		Primary Acre Limit	
* These 54 acres were moved to cover lands without surface water prior to Decree in SRBA									