

MEMORANDUM

Date: December 29, 2005
To: Transfer 72508 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes creating a 263.3-acre permissible place of use for one groundwater right (45-2454) and three rights (45-263, 45-264, and 45-265) diverted from Marsh Creek that are currently authorized to irrigate 258 acres on a farm located approximately 2.5 – 3.5 miles due east of the center of Declo. The existing diversions located on the farm will continue to be used to irrigate 258 acres within the proposed permissible place of use. The proposed change in place of use (creating a larger PPU) consists of just a few acres and is requested due to recent installations of pivot sprinklers on the property that cover a few acres outside the currently authorized place of use. All the rights involved with the transfer were decreed in the SRBA in July of 2005. The groundwater right is diverted from a well located within the ESPA, not located within Water District #130, but located within the West Measurement District.

- **Authority to File:**
Applicant is listed as the current owner of record on IDWR records and has provided a warranty deed showing that they are the owner of the land involved with the transfer.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA in July of 2005.
- **Injury to Other Water Rights:**
None anticipated. No change in point of diversion location is proposed and only a slight shift of acres within the place of use is proposed.
- **Enlargement of Use:**
None anticipated if appropriate conditions and limits are implemented. The proposed 263.3-acre permissible place of use represents a boundary and no more than 258 acres will be irrigated within the proposed permissible place of use in a single season.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use (irrigation) is recognized as a beneficial use of water and sprinklers will be used for irrigation.

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.