

MEMORANDUM

TO: Transfer No. 72184

FROM: Sharla Curtis

DATE: August 8, 2005

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change one of the points of diversion listed in Rights 63-10578 and 63-21471. The well currently located in the NWNW has caved in and cannot be repaired. The applicant is drilling a new replacement well in the SWNW, where the second point of diversion under this right is currently listed. The well in the NWNW will be abandoned.

The site is approximately one (1) mile northeast of Wilder.

Summary of Information Submitted

Authority to File: Applicant is current right holder of record and is therefore authorized to file this transfer.

Water Right Validity: Rights presumed to be valid. SRBA is not applicable to right 63-10578 developed after 1987. Recent beneficial use confirmed via aerial photography from 2000. The partial decree for right 63-21471 was issued in 2002 and per a request to Dan Shaff, the decree was moved to WR records on 8/8/05.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement will occur; this transfer only proposes changing the legal description of one well that is to be drilled as a replacement. The original well in the NWNW will be abandoned.

Local Public Interest: No protests were received for the previous transfer filing; assumed to be in the local public interest.

Beneficial Use/Conservation of Water Resources: This transfer proposes 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.

Additional Information &/or Analysis

As explained in John Westra's memo dated 8/2/05, Right 63-10578 is a supplemental irrigation right and the delivery of surface water this season will be shortened due to continuing drought conditions. John's memo explains the reason for this transfer and defines the necessity for expedited approval of the transfer. Right 63-21471 is also diverted from the same system and is included in the transfer application to change the point of diversion for that record as well.

Discussion

Data entry affected the correct WR records; partial decree was issued for 63-21471 and results were migrated to wr records.

As indicated above, the irrigation right is overlapped with surface rights; the standard overlap and supplemental conditions should be applied to the transfer just as they were in the previous transfer.

Summary

A drilling permit, along with its appropriate filing fee, was filed at the same time as the transfer application. Therefore, condition 046 will not be included on the transfer approval.

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 transfer should contain all of the conditions shown on the draft approval.