

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 9/20/2005

RE: HARINGA FAMILY TRUST TRANSFER 72354, RIGHTS 61-11997, 61-11999, 61-12001, AND 61-12003

The purpose of the transfer is to add a new backup well to the dairy currently being constructed in SE S35 T4S R6E approximately 6 miles south of Mountain Home on Beet Dump Road in Elmore County. The applicant is not asking to alter the dairy size or the water needs beyond the amounts approved by transfer 69875 on June 16, 2004.

AUTHORITY TO FILE:

The applicant is the owner of record by way of an ownership change that was completed on 8/13/2004.

WATER RIGHT VALIDITY:

Right presumed valid since it was recently decreed.

INJURY TO OTHER WATER RIGHTS:

A transfer was approved for these water rights in June of 2004, there is nothing to suggest that any new issues have arisen since that approval.

ENLARGEMENT OF USE:

No expansion of the right is being proposed.

LOCAL PUBLIC INTEREST:

There is nothing to suggest that this application is not within the local public interest. The applicant declined to supply any information that addressed the public information criteria

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

Applicant proposed beneficial use consistent with irrigation standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of the application.

NARATIVE

This transfer only requests to add a point of diversion the dairy currently under construction for these water rights. The applicant is not asking to increase the dairy's water use or size. These rights were involved in a change of nature of use transfer that was approved in June of 2004. Therefore, there isn't anything new that wasn't covered under the previous transfer and transfer memo.

Please see transfer 69875 for any additional information needed.

There haven't been any new overlapping water rights since the previous transfer was filed.

CONDITIONS AND SUGGESTIONS

This transfer seems acceptable as listed on the front page of the transfer with the inclusion of the conditions on the draft approval.