

MEMORANDUM

Date: December 5, 2005
To: Transfer 72271 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes changing the place of use of portions of two groundwater rights appurtenant to a 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. The change in place of use consists of moving a 214-acre portion of the two rights to other locations on the farm in anticipation of a possible change in ownership of the rights (within the family listed as applicants). Note that the transfer does not propose an ownership change or an update to existing ownership records. The applicants indicated that if the transfer were approved, then appropriate ownership information would be filed to reflect actual current ownership. Also note that currently the groundwater rights are supplemental to Sublett Irrigation Company water (surface water stored in Sublett Reservoir) on their current place of use except for the SE ¼ of Section 11 (T13S, R28E). Some of the new place of use is not currently covered by Sublett Irrigation Company water, but pending transfer # 72314 (in the name of Sublett Irrigation Co.) proposes to cover these new lands with Sublett Irrigation Company water to ensure that no potential for enlargement in use of the groundwater rights will exist.

- **Authority to File:**
IDWR records show the applicants as the current owners of the rights involved with the transfer. If the transfer is approved, then ownership of the rights will change hands amongst the applicants and then appropriate ownership changes and supporting documentation will be filed with the Department.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA in 2002.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. Some of the new place of use is not currently covered by Sublett Irrigation Company water, but pending transfer # 72314 (in the name of Sublett Irrigation Co.) proposes to cover these new lands with Sublett Irrigation Company water to ensure that no potential for enlargement in use of the groundwater rights will exist. Transfer # 72271 should only be approved if pending transfer # 72314 (in the name of Sublett Irrigation Co.) is already approved.
- **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 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.