

MEMORANDUM

TO: Transfer File No. 71563

FROM: Lori Graves

DATE: 9/17/04

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicant proposes using an existing, private well to irrigate their parcel rather than using a shared well.

The site is located ½ mile south of Columbia road and ½ mile west of Cloverdale road.

Authority to File: Applicants are owners of record.

Water Right Validity: Right presumed to be valid based on pending SRBA recommendation by Craig Saxton. This transfer application is based on Craigs recommended amounts.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed 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 this application.

Additional Information: Users of the original shared well will be notified.

Discussion: This claim is a split off license 63-9655. Applicants portion of that license was 27.8 acres. Tax lot info shows that applicants only own 24.4 acres. Craig found additional lands licensed than actually exist in the SENW. As a result, Craig recommended 24 acres irrigation for claim 63-31462. Prior to Craigs recommendation, applicants purchased surface water shares from New York Irrigation District and installed a pump station on the canal for delivery of their shares. They put 24.8 acres of the 27.8 acres listed on their claim in the water bank for protection **before** they started using the surface water. They retained three acres for irrigation around their house from ground water. These three acres do not receive surface water. Supporting documentation can be found in the water bank file and/or can be supplied by the applicants if needed regarding the banked aces.

As mentioned above, Craig recently recommended 24 of the 27.8 acres for decree in the SRBA. The transfer amounts reflect Craigs recommendation. Cynthia Bridge Clark has been notified that only 21 acres are available for rent out of the water bank from right 63-31462 rather than 24.8 acres. Applicants will continue to use ground water for irrigation of three acres surrounding their house.

The parent right was split into five claims in the SRBA, all using the original licensed well. Applicants are now proposing their own p/d through this transfer for split right 63-31462. Split rights 63-31472 & 63-31591 are also proposing their own p/d via transfer no. 71309 currently being processed. Split rights 63-31470 and 63-31590 will continue to use the original p/d, however the validity of 63-31590 is currently being questioned in the SRBA. Because there has been some controversy between the users of the original licensed well, all parties associated with that well will be sent notice.

The proposed well was drilled in 1973. A well upgrade fee is not required since it was drilled prior to 7/1/1987. Applicants also have SRBA claim 63-31466 filed on this well for domestic use. The claim has not been recommended or decreed as of the date of this memo.

Conditions: 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 conditions listed on the draft transfer approval should be applied.