

MEMORANDUM

Date: August 4, 2005
To: Transfer 69309
From: jfreitag
Re: Comment/Analysis

Transfer Sufficiency- 69309

Authority to File:
Numerous agreements

Water Right Validity:
Recommendation exists

Allen Merritt and myself have calculated the following for this supplemental right

Recommendation is for 1.15 cfs and 121.6 acres irrigation.
Can also be considered 122.7 afa div. vol. Or 92.1 afa c.u. vol.
Thus 0.94 cfs and 75.4 afa c.u. goes to dairy
Remaining is 0.21 cfs and 22.3 afa div. vol. Or 16.7 afa c.u. vol. And 22 acres of irrigation if supplemental or 5.6 acres if primary.

Also requiring 25 Twin Falls Canal Company shares to be retained and unused at the dairy site - T10S, R14E, S15, NESE.

The transfer approval varies from the original application, which was proposing the following

Brockway was originally proposing to dry up 78.7 acres of water right 47-4287 to be converted to commercial and stockwater use. The remaining 49.3 acres will be left for irrigation use. Water right 47-4287 is supplemental to TFCC shares, thus the reason for drying up 78.7 acres for 75.4 AFA see Brockways analysis with the transfer.
Physically the transfer proposes to no longer irrigate 25.1 acres with either TFCC shares or groundwater See part 1, 6c on original application
Also the flow rate needed at the dairy is not proportionate to what is being dried up so the proposal is to transfer 1.01 cfs to the dairy and retain 0.99 cfs or 0.02 cfs per acre for irrigation see Brockways analysis included with transfer

Injury to Other Water Rights:
Analysis on historical use is included and historical crop use supports 3.0 afa.

There appears to be several water rights out of the same well listed as the POD for this transfer. these are... 47-8434-application for permit to be withdrawn pending approval of this transfer-per conversation with Chuck Brockway Jr. 8-3-01, 47-8241, 47-14333, 47-14334, 47-14335.

Enlargement of Use:
No apparent increase in use proposed.

Local Public Interest:
No apparent issues

Beneficial Use/Conservation of Water Resources:
Does not appear to be contrary to conservation practices.

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.