

MEMORANDUM

Date: June 27, 2005
To: Transfer 71883 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer application filed to add a new well (recently drilled under drilling permit 829814) as a second authorized point of diversion for water right 36-7497 used for stock and wildlife uses. The new well and the old original well are both located approximately 9.5 miles north and 3.0 miles east of Hazelton. The wells are used to provide water to several different locations all within a 3.8-mile radius of the two wells. The new well was GPSed by groundwater protection staff and this GPS reading and examination of the USGS quadrangle covering the well site reveals that the two wells are actually located in the SENWNE of Section 14 (T8S, R20E) rather than the SWNE of Section 14. The approval document should be drafted to reflect the actual location of the wells rather than the incorrect location described on the transfer application and the SRBA decree. The right, 36-7497, being transferred was decreed with a volume of 21.74 ac-ft, but was also decreed with a condition limiting the diversion to 13,000 gpd and a period of use of only 244 days (4/1 to 11/30). A diversion of 13,000 gpd over 244 days is only about 9.7 ac-ft. After consulting with state office staff, it was decided that the more restrictive volume limitation (13,000 gpd vs 21.74 ac-ft) would be the limiting factor in any transfer approval involving this right. It was decided to make the applicant (BLM) aware of the volume discrepancy on their decreed right before continuing processing the transfer. A letter was sent to the applicant on May 18, 2005 advising them of the Department's intent to limit the volume to the more restrictive decreed limit (13,000 gpd for 244 days = 9.7 ac-ft). The letter requested a response within 30 days, or if no response were received then the Department would proceed with processing the application with the intent of limiting the volume to 9.7 ac-ft. As of this date, I have received no response from the applicant.

- **Authority to File:**
IDWR records show the applicant as the current owner of the right involved with the transfer.
- **Water Right Validity:**
The right involved in the transfer has been decreed in the SRBA.
- **Injury to Other Water Rights:**
None anticipated. New well was drilled within a few feet of the original well (same cell in the ESPA groundwater model).
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.

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.