

MEMORANDUM

TO: Transfer File No. 71628

FROM: Lori Graves 

DATE: 2/17/2005

RE: Evaluation of Sufficiency of Information Submitted

Brief: The purpose of the transfer is to drill a new well on applicants property for supplemental irrigation rather than using an existing well located on property applicants have recently sold.

The site is located just north of Chinden Blvd, ½ mile west of Linder Rd,

Contact person for the applicant is Terry Scanlan.

Authority to File: Applicants are current owners of record.

Water Right Validity: Right presumed to be valid. SRBA is not applicable to this right developed after 1987. Recent beneficial use was confirmed via 2000 arc view photo.

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: Lochsa Falls, LLC, bought 64 acres of water right 63-11199 for development, resulting in 63-11199 being split per transfer 71109. The irrigation well licensed to 63-11199 is located on Lochsa Falls property in the NENE S23. Lochsa Falls proposed two new wells on transfer 71109 and did not include the existing licensed well as a p/d for their proposed development. Now Brandts are proposing a separate well to be located on their property for irrigation of their remaining portion of original water right 63-11199. The existing well in the NENE S23 only served license 63-11199. As a result of transfer 71109 and this transfer, it appears that this well will no longer be used. Terry Scanlan confirmed 5/24/2004 that the well will be properly abandoned by a licensed well driller upon approval of transfer 71109 and this transfer.

Notice will be sent to Lochsa Falls, LLC.

Discussion: As mentioned above, transfer 71109 resulted in license 63-11199 being split into rights 63-31860 and 63-31861. Transfer 71109 was recently approved 11/10/2004. This transfer application was filed the same time as transfer 71109, however processing was delayed until the approval of transfer 71109 because right 63-31860 was a consequence of that transfer.

Please note that Part 2 of this transfer was completed and submitted prior to the approval of transfer 71109. The split of right 63-11199 reflected in Part 2 has occurred resulting in the creation of 63-31860.

Brandt sold the subdivision property (63-31861) to Farwest, LLC. Farwest then quitclaimed the property to Lochsa Falls, LLC. I'm assuming that part of the land sale agreement from Brandt to Farwest involved Farwest drilling a new well on Brandts property for irrigation of Brandts remaining acres. Traci Irvin, with Farwest, submitted a request to expedite the processing of this transfer via the attached e-mail dated 10/13/04.

Boise River right 63-170A and Settlers Irrigation District water are also used on the property for irrigation.

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.