

MEMORANDUM

TO: Transfer File No. 71216

FROM: Lori Graves

DATE: May 5, 2004

RE: Evaluation of Sufficiency of Information Submitted

Brief: For management flexibility, applicant proposes the place of use to be generally described as within the boundary of the Centerville Water System, Inc. service area. The site is located in New Centerville, Boise County.

Contact person for the applicant is Matt Howard, Attorney at Law.

Authority to File: Applicant is current owner of record.

Water Right Validity: Right assumed valid because the partial decree was issued on 4/21/2003, within the past five-year period.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed. Applicant is tracking total water use via Idaho Power records. This information can be provided upon request.

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:

\$290 was originally submitted for the transfer fee, which covered only the irrigation portion of the right. To include fire protection, applicant paid an additional \$160 on 5/3/04. Applicant was hoping that the fire protection p/u would automatically change with the irrigation p/u for the purposes of uniformity, without being subject to additional fees.

The final service area map was submitted 5/3/04 by Oscar Baumhoff, Director of Centerville Water Sytem, Inc. Oscar stated that the applicants water delivery system is

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currently capable of reaching all the area located within the proposed service area boundary via extension lines off the main water line.

To confirm that the applicant qualified under the provisions of Idaho Code § 42-219(6), additional information was requested 3/22/04. A response from the President of Centerville Water System, Inc. was received 4/7/04, which explained that Centerville Water System, Inc. delivers a total of 159 shares. Each share costs \$50 and represents ½ acre of irrigation. The board of directors for Centerville Water System, Inc. evaluates and approves/disapproves any share transferred within the proposed service area to prevent unauthorized enlargement of irrigated acres.

Watermaster comments have been requested.

Discussion: The SRBA is now recommending a generally described p/u (irrigation within a service area) for all entities that qualify under Idaho Code § 42-219. This was not the case when applicants right was decreed. Since applicants qualify, they filed this transfer to allow them the flexibility to move irrigated acres within their generally described p/u without having to apply for a transfer from IDWR each time a movement in irrigated acreage is contemplated.

In a meeting with Matt Howard and Oscar Baumhoff 5/3/04, they stated that the bi-laws for Centerville Water System, Inc. were currently being amended and that disincentives for unauthorized irrigation will be included.

Overlaps are for separate systems, uses and/or acres. Decrees 63-2517, 63-15153 and 63-15292 are for mining and fire protection along Grimes Creek. Decree 63-15154 shares the same pump station with the applicant for irrigation of separate acres.

The p/d appears to be located in Gov Lt 9. For some reason, the Gov Lt was not included on the decree and is not identified in arc view. Oscar Baumhoff stated that the Gov Lts are very confusing in this area.

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.

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