

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 3/17/04

**RE: CTI-SSI FOOD SERVICES LLC TRANSFER, RIGHTS 63-10727 AND
63-31640, TRANSFER # 71236**

The transfer proposes to add 2 points of diversion and change the place of use to include the entire property used by the plant for manufacturing and land application of wastewater. The 2 new points of diversion will be located in the NESE S10 and the NWSW S11. The place of use will be located in the SW and SWSE S8, NESE S10, N ½ of S17, and NWSW S11. The facility is located in T4N R5W, Canyon County.

AUTHORITY TO FILE:

The applicant has provided a sales agreements showing that they have purchased industrial facility and the lands where the wastewater is land applied.

WATER RIGHT VALIDITY:

Both of these water rights were licensed after the Snake River Basin Adjudication. I performed the field exam on water right 63-31640 on 2/20/2004 and confirmed that no forfeiture has occurred.

INJURY TO OTHER WATER RIGHTS:

This right has been actively used since 1988. No indication of injury has occurred during that time period.

ENLARGEMENT OF USE:

The applicant has not proposed to increase the amount of water being used under these applications. There has been issues of water quality and stability of the wells, that have required the applicant to file for additional points of diversion.

LOCAL PUBLIC INTEREST:

Our office has no information to suggest that this application is not within the local public interest.

SCANNED
MAY 18 2004

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

This transfer proposes beneficial use consistent with conservation of water resources in Idaho and has been operating using licensed water rights with the State of Idaho.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of the application.

NARATIVE

This application has been filed to accurately describe the land application system for this facility. Several attempts were made prior to the field exam I performed on 2/20/2004. I feel the system was accurately described in that field exam report and water right 63031640 was accurately licensed. This transfer was filed to correct the land application place of use for the existing license, 63-10727, and to add two new proposed points of diversion to both water rights. The current wells have had problems with water quality, and stability of the current pumps. If one of the current pumps go down, there is a very small window to get that pump repaired. The current wells are located side by side, and any problem with the wells could take out both wells.

Fresh water is incorporated with the wastewater used for land application from water rights 63-11243, 63-3587, and Wilder Irrigation Company water. This overlap should not pose a problem since the wastewater only supplies approximately 17.2% of the allowable irrigation of the lands being irrigated. Water right 63-11254 is an irrigation right that is diverted from these wells for landscape irrigation and the undeveloped lands in the plants complex. When combined 63-10727 and 63-11254 are limited to a total diversion rate of 0.59 cfs. By carrying the same conditions over from the licenses, the overlaps should not be a problem.

CONDITIONS AND SUGGESTIONS

This transfer seems acceptable as listed on the front page of the transfer with the inclusion of the conditions on the draft approval.

SCANNED
MAY 12 2004