

MEMORANDUM

Date: July 20, 2004
To: Transfer 71275 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes adding an existing well as an authorized point of diversion to two water rights, 45-2434B and 45-12909B, currently used to serve a dairy operation located approximately 2.0 - 2.25 miles west and 0.3 -0.5 miles north of the center of Oakley. This existing well to be added currently serves a feedlot operation located approximately 1.75 - 2.0 miles west of the center of Oakley. The transfer also proposes adding an existing well as an authorized point of diversion to a water right, 45-10454, currently used to serve a feedlot operation located approximately 1.75 - 2.0 miles west of the center of Oakley. This existing well to be added currently serves the previously described dairy operation. The transfer will result in the "dairy well" serving as a backup well for the feedlot operation and the "feedlot well" serving as a backup well for the dairy operation. The rights involved with the transfer have been reviewed in the SRBA, but not yet reported to the court. The two rights involved with the dairy were involved with transfer # 66104. The ownership and place of use for the rights will not change as a result of this transfer.

- **Authority to File:**
Applicant is listed as current owner on IDWR record for right 45-10454 (feedlot). Mr. Whitley who signed the application is the president of Shoulder 3 Ranches (applicant & owner of the feedlot) and is also the president of ACME Dairy (owner of the dairy).
- **Water Right Validity:**
Rights have been recently reviewed in the SRBA, but not yet reported to the SRBA court. Transfer is based on the preliminary recommendations for the rights.
- **Injury to Other Water Rights:**
None anticipated. No change in place of use. Points of diversion are being added for backup purposes and have already actually been physically tied together.
- **Enlargement of Use:**
None if appropriate conditions and limits are implemented.
- **Local Public Interest:**
No negative impacts anticipated, the facilities are already in place.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use 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.