

MEMORANDUM

TO: Transfer File Nos. 71242 thru 71245

FROM: Lori Graves

DATE: 5/17/2004

RE: Evaluation of Sufficiency of Information Submitted

Brief: The property licensed on right 63-2846 has been subdivided into four parcels. A separate well and irrigation system is proposed for each parcel. Four transfer applications have been filed and are being processed together.

The site is located approximately 2 ½ southeast of Greenleaf.

Authority to File: Current owners of record filed three transfers for parcels 1, 3 and 4 in their name. Parcel 2 has been recently sold to James and Kristin Crowe, who filed the fourth transfer in their name and attached the appropriate ownership documentation.

Water Right Validity: Right presumed valid since the right was claimed in 1990 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by SRBA staff (Craig Saxton) and the 1987 arc view photo.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed. See below for additional information.

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.

Discussion: The license was issued at ½" per acre for 20 acres. The four parcels add up to 19.5 acres, with ½ acre dedicated to an ingress egress easement area that will not be irrigated. Parcels 1 and 2 are 1.5 acre each. Parcel 3 is 5.01 acre and parcel 4 is 11.49 acre. To simplify the division of the .20 cfs flow rate, the applicants agreed to round up parcels 1 and 2 and round down parcels 3 and 4. As a result, the 1.5 acre parcels list .02 cfs rather than .015 cfs. Parcel 3 lists .05 cfs and parcel 4 lists .11 cfs. When combined, the four transfers total .20 cfs.

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A volume amount was not listed on the original license. The potential volume is 103 afa (.20 cfs x 260 dys x 1.9835). Required volume is 90 afa (20 acres x 4.5 afa/ac). To prevent enlargement, each parcel will be limited to their portion of the required volume based on each parcels size.

Domestic use was listed on the original license. Applicants state that the house that the wells originally served is not located on the subject property. The SRBA claim lists stockwater use and not domestic use. Rather than trying to establish priority for the stockwater use in the SRBA, the transfer applicants chose not to include stockwater on their transfers and stated that any stockwater that should occur will not exceed the domestic use limitations.

No other rights are used.

These four transfers qualify under the recent legislation, SB 1295, 42-222, removing the requirement to advertise. Final approval will occur after July 1, 2004, when the legislation is signed into law and becomes effective.

James and Kristin Crowe have already drilled their proposed p/d for domestic use. They paid the well upgrade fee with their transfer fee per receipt no. W031600. The wells listed on the other three transfers have not been drilled.

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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