

MEMORANDUM

Date: May 20, 2004
To: Transfer 71183
From: ameritt
Re: Evaluation of sufficiency

This application proposes to create a permissible place of use for three ground water rights totaling 5.3 cfs currently diverted from two wells located approximately 4 miles east of Gooding south of Hwy 26. These water rights currently irrigate 288 acres. The transfer identifies the proposed permissible place of use to be portions of the old Wolfe farm where the wells are located and will allow use of these rights within a 622 acre permissible place of use limited to 288 acres in any one season. Two of these rights are associated with the Wolfe property. The other has been purchased from the adjacent Wood property. I understand from the applicant that canal shares were traded for this ground water right. Shares in the Big Wood Canal Co also serve this permissible place of use. Additionally the application provides for use of four additional existing wells located approximately 1 mile north of this site. These wells are located on the old Arkoosh farm and now owned by the applicant and will be used as backup wells for this site. These wells serve other water rights for irrigation of other lands.

Authority to File:

Wolfe is listed as owner for two of the rights and Wood for the other on the database. The file includes a Warranty Deed for the Wolfe property to Glanbia (37-7252A and 37-7677). The file also includes a deed of water right from Wood to Glanbia (37-7252B).

Water Right Validity:

Validity of the rights involved: All rights involved have been partially decreed in the SRBA.

Injury to Other Water Rights:

None apparent. The two existing wells are located in R14, C11 of the ESPA model. These are intended to be the primary use wells for the PPU. Three of the additional four backup wells to be associated with these rights are located within R14, C11 (Same cell) of ESPA. The fourth additional backup well is slightly in cell R15 C11. The worst case scenario would be if all of the water would move from R14 to R15. Analysis shows an 8% increase in impact to Thousand Springs reach of river in this case for a short period of time if all the water were moved. Since the single well in R15 is associated with other rights and is farther away than the other five wells to the PPU the likely hood of continued use is slight and is not the intent. Analysis using an over conservative estimate of use of this well for 25% of time predicts 2% impact on Thousand Springs reach. This estimate is over conservative. It does not appear transfer will injure water rights or need to be mitigated based on this over conservative estimate.

Enlargement of Use:

Does not appear to be an issue if rights limited to historical number of acres irrigated.

Local Public Interest:

No issue identified.

Beneficial Use/Conservation of Water Resources:

No issue identified.

MEMORANDUM

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.

Other issues:

The applicant has filed a companion transfer 71184 to include this PPU as well as the PPU on the old Arkoosh farm to create a large PPU where waste water from the Glanbia cheese plant can be land applied.

Since there are other rights associated with the four wells to the north that will be hooked into a common system these rights may need to be added as associated rights in any approval so conditions can be modified. (Rights 37-7260, 37-7380A, 37-7380C, and 37-7576 are the ground water rights associated with the four wells.)