

MEMORANDUM

TO: Transfer Application #70289 File

FROM: Vikie Hancock

DATE: December 8, 2003

SUBJECT: SRBA Claim review 45-2265, 45-2391, 45-2395, 45-2492, 45-2665,
45-2666, 45-2667, 45-13475, 45-13504
SRBA Claimant and Transfer Applicant: Gordon Luke

This transfer concerns seven licensed rights representing 1091 acres, one beneficial use right representing 120 acres and one expansion claim representing 297 acres. In the SRBA, all claims have been recommended within a PPU of 1508 acres and the SRBA recommendations are the basis of transfer 70289.

The original rights were licensed to partially overlapping places of use and utilized five wells as points of diversion. The wells were licensed to the measured capacity. At the time claims were filed in the SRBA only two of the licensed wells were still in use.

Using 1962 aerial photography, Mr. Luke and I determined that 120 acres of land additional to that included in the seven licensed rights had been developed prior to closure of the Artesian City Critical Ground Water Area on January 18, 1962. These acres are represented by SRBA claim 45-13475. No additional diversion rate was allowed for this right as no proof was submitted that any of the wells produced more than their licensed capacity, however additional volume was allowed.

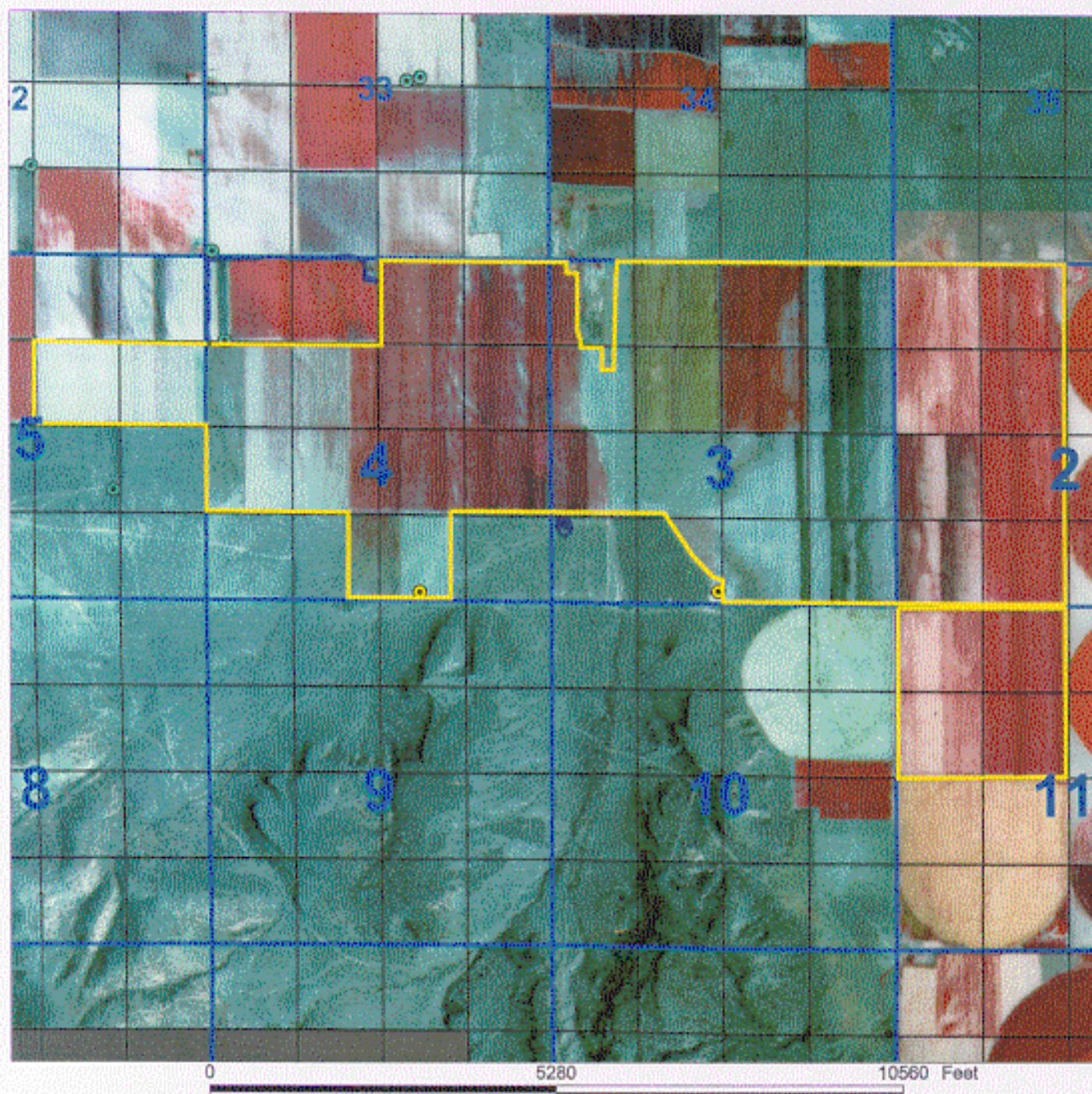
Using 1962 as well as 1987 aerial photography, Mr. Luke and I determined that 297 acres of expansion had occurred between January 1962 and November 1987. These acres are represented by SRBA claim 45-13504, no diversion rate or volume is allowed for this right.

Transfer 70289 proposes to add a point of diversion and change the place of use to facilitate an exchange of land between Mr. Luke and Brent Funk. I see no reason why this transfer should not be approved.

Idaho Department of Water Resources

RIGHTS: 45-2265, 45-2391,
45-2395, 45-2492, 45-2665, 45-2666,
45-2667, 45-13475, 45-13504

RECOMMENDED PLACE OF USE
TWP 12S, RNG 20E,
PREPARED NOVEMBER 20, 2002



-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER SECTION LINES



GIS PLACE OF USE PRESENTATION
1987 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK