

MEMORANDUM

Date: July 6, 2022

To: Transfer 86030

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

Originally the purpose of this transfer was to change the point of diversion of a split portion of water right 24-4074A in preparation for sale of the property to the applicant. However, the applicant did not wait for the transfer to be approved but purchased the property while the legal ad was still running. Therefore, ownership of the right will be updated in the transfer.

Authority to File:

The applicant provided a warranty deed demonstrating ownership of the proposed point of diversion and his portion of the water right place of use.

Water Right Validity:

Right 24-4074A was decreed in the SRBA in 2007. Post-decree aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

The unchanged portion of right 24-4074A will continue to have access to all 3 decreed sources, while the changed portion will only be served by Tincup Creek. The unchanged 8 acres should still have adequate water for conveyance losses since the right was decreed at 0.03 cfs per acre. If Caribou Ranch LLC (the owner of the unchanged portion of the right) had needed additional water to cover conveyance losses, the LLC could have sold less water to the applicant. There are no other points of diversion between the current and proposed points of diversion on Tincup Creek. It's not likely that other water users would be injured by the proposed change. The transfer application was advertised, and no protests were filed.

Enlargement of Use:

The proposed change will not result in enlargement. Neither rate nor acres will increase as a result of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

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.