

MEMORANDUM

Date: November 5, 2021
To: Transfer 84815
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to move portions of rights 23-11H and 23-11J to an existing Snake River pump and new permissible place of use located in Madison County. Right 23-11J is currently associated with The Palisade Irrigation Co. digital boundary. Therefore, the company's rights were added to the transfer as associated rights in order to update conditions.

Authority to File:

Lynn Dixon is the owner of right 23-11J and the agent for Snake River Estates LLC, which owns right 23-11H and the property the POU covers. Joseph Lundquist, agent for Palisade Irrigation Co, has provided a consent letter agreeing to the removal of right 23-11J from their company boundary. The applicant, Brigham Cook, is contracted to purchase the water rights from Lynn Dixon upon approval of the transfer. Madison County parcel data lists Brigham Cook as the owner of the proposed PPU.

Water Right Validity:

Rights 23-11H and 23-11J were both decreed in the SRBA in 2010. Satellite imagery providing evapotranspiration data for the POU associated with right 23-11H shows growing vegetation from 2011 to 2020. Right 23-11J was included in approved Transfer 81162 in 2017, and in approved Transfer 83027 in 2019, when the right was added to The Palisade Irrigation Co. digital boundary. Forfeiture is not an issue.

Injury to Other Water Rights:

In order to prevent injury to other Palisades Canal water users, 0.69 cfs of right 23-11J will be left in the canal to offset conveyance losses. There is no need to leave behind conveyance losses for right 23-11H since the right is delivered via a pump on the Snake River. The application was advertised and protested by the SWC. However, the protest was withdrawn based on the addition of several conditions intended to prevent injury to existing water rights. The Watermaster reviewed the application and did not oppose its approval.

Enlargement of Use:

The rights included in the transfer are stacked with shares in The Palisade Irrigation Co. In order to prevent enlargement, the company agreed to only move these shares, if sold, to currently irrigated acres within the boundary. The total number of acres allowed to be watered by the company was also reduced by 145.9 acres. After accounting for conveyance losses at the current place of use, the remaining diversion rate still totaled more than an inch to the acre, and the water would be delivered via a closed conduit system. There was concern that more than the authorized number of acres would be irrigated at the proposed place of use by the transferred rights. Therefore, a condition was added to limit the diversion rate at the new point of diversion to an inch to the acre.

Local Public Interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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 this application.