

MEMORANDUM

Date: May 12, 2021
To: Transfer 84838
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

The transfer proposes to change the place of use and the point of diversion for a 1.5 acre portion of water right 35-4073 B to cover a large yard being irrigated without a valid water right. The proposed place of use and point of diversion are both located in the NESE, Sec. 10, T05N, R38E. Domestic well will be utilized as the authorized point of diversion.

Authorized volume is reduced to 5.3 acre-feet annually from 6.0 acre-feet annually. This is a result of the water right being transferred from an area with a field head gate maximum of 4.0 acre-feet per acre down to one with a 3.5 acre-feet per acre maximum.

Authority to File:

Logan and Whitney McGarry are the current owners of the water rights per IDWR record and the owners of the property at the proposed point of diversion and place of use per Madison County tax lot data (updated 10/05/2020).

Water Right Validity:

Water right number 35-4073 B was decreed on 02/15/2002. After review of aerial photography available to the department, the proposed place of use has historically been irrigated without excess, as the water right acre limit is ample enough to cover the historical irrigation. The property where the proposed place of use is located was previously owned by Schreiner Farms Idaho LLC, as was water right 35-4073 B.

Injury to Other Water Rights:

Water right 35-4073 B is within the ESPA and regulated by WD 120. Whereas, the proposed place of use and point of diversion are regulated by WD 100. The current point of diversion and the proposed point of diversion are within the same or adjacent ESPA Model Grid Cells. Therefore, no ESPA Impact Analysis was performed. The Water Master does not oppose this transfer. This transfer was advertised and there are no protests.

Enlargement of Use:

The approval of this transfer will not result in an enlargement of a water right.

Local Public interest:

No issues have been identified.

Beneficial Use/Conservation of Water Resources:

No issues have been identified.

Effect on Economy the Local Area:

No issues have been identified.

Effect on Agricultural Base of the Local Area:

No issues have been 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.