

MEMORANDUM

Date: July 10, 2020
To: Transfer 84119
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion for right 29-134. The USFS recently installed a pipeline and fish screen to be shared by several water users on the stream. The intent of the pipeline project is to reduce the number of diversions on the stream in order to improve fish habitat on Pebble Creek.

Authority to File:

IDWR records show the applicant as the current owner of the water right, and Caribou County parcel data shows the applicant as the owner of the place of use. The proposed point of diversion is on USFS land. The applicant provided a copy of the special use permit allowing access to USFS land at the point of diversion. The application was signed by an attorney with authorization to sign on the applicant's behalf.

Water Right Validity:

Right 29-134 was decreed in the SRBA in 2004. Recent aerial photos do not show evidence of irrigation. However, in 2015 the applicant filed an application for extension of time to avoid forfeiture. The application was approved and does not require resumption of use until July 1, 2021. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed change. Three other Pebble Creek water users are expected to use the proposed pipeline, but they have not yet filed their applications. It is anticipated that 3 additional transfers will be soon filed to change the point of diversion on their water rights. There are no other diversions located between the current and proposed point of diversion, and there is no evidence that the proposed change will reduce the quantity of water available to other water rights. The transfer application was advertised and no protests were filed. The Water District 29 watermaster was notified of the transfer, but did not provide comment.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor irrigated acreage 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.