

MEMORANDUM

Date: March 17, 2020
To: Transfer 83535
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for water rights 74-1556 and 74-1562, in order to create a combined place of use. This transfer is associated with transfer 83530.

Authority to File:

The applicant, McFarland Livestock Co., is the current water right owner on record. The signees, Tex and Thayne Kauer, are directors and are authorized to make the proposed changes to the water right. Lemhi County taxlot data shows that the applicant is the owner of the current and proposed place of use.

Water Right Validity:

Both water rights included in this transfer were decreed in the SRBA; 74-1556 in 2012 and 74-1562 in 2007. Review of 2011 and 2015 aerial photography shows growing vegetation on the current place of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Other water rights do not appear to be injured by the proposed change. Neither the point of diversion nor the quantity diverted will change as a result of the transfer. The place of use of 74-1556 and 74-1562 is simply being combined within close proximity to the current POUs. The watermaster for Water District 74 was contacted, and he requested that the proposed changes be advertised. The transfer was advertised and did receive a protest. The protest was withdrawn without conditions.

Enlargement of Use:

The proposed changes do not appear to result in enlargement because neither the rate, volume nor irrigated acres will increase as a result of this transfer. Both the water rights involved in this transfer cover the same ground, and as a result, have acre limits for the place of use. Water right 74-1556 is the more senior water right, therefore, has a condition requiring the water right owner to provide a map of where those specific acres will be irrigated. The applicant has specified those acres on the map included with the application.

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.