

MEMORANDUM

Date: November 26, 2019
To: Transfer 83709
From: Jeff Nield
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of injection for water rights 34-742, 34-13944, 34-13945, 34-868, 34-700C, 34-702B, 34-702C, 34-14586, 34-573B, 34-584D, 34-14582, 34-701C, 34-14583, 34-699B, 34-699C, and 34-583B. The quantity of water injected at the current point of injection is having a damaging effect to the habitat improvements that the applicant has made on Warm Springs Creek. The transfer seeks to reduce a portion of the total amount of water being injected at the current point of injection to help alleviate some of the impacts to the stream and riparian corridor.

Authority to File:

Department records show all applicants as the current owners of the water rights. Custer County Tax Parcel information shows that the applicant (Big Lost LLC/Michael John) owns the property at both the current and proposed points of injection. The transfer application was signed by Michael John, who is a registered agent and authorized to sign on behalf of all three LLC's.

Water Right Validity:

The rights proposed to be transferred were decreed in the SRBA between the years 1997 and 2002. The number of irrigated acres found during review of 2015 and 2017 aerial imagery are approximately the same as the number of acres authorized to be irrigated by these rights. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

The transfer application was advertised state-wide and no protests were received. The water master was given the opportunity to review and comment on the application and does not oppose the approval of the changes. Injury to other rights does not appear to be an issue.

Enlargement of Use:

The proposed changes will not result in an increase in rate, volume, or irrigated acreage of the rights. Enlargement does not appear to be an issue.

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.