

MEMORANDUM

Date: July 3, 2019
To: Transfer 83256
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion for water rights 29-2039, 29-4444 and 29-13955. The proposed point of diversion change will update the water rights to accurately represent the historical location of the diversion.

The place of use acres for water right 29-13955 will also be updated. According to the permit 29-14027, 1.1 acres was used for mitigation from water right 29-13955, but the shape was never updated. The irrigation place of use acres for right 29-13955 was reduced by 1.1 acres to reflect the mitigation use.

Authority to File:

The applicant, Rowlands Inc., is the current water right owner on record. The application is signed by the representative, Thomas J. Budge, which, according to a provided power of attorney document, has the authority to sign for the proposed changes. Power County parcel data shows that the applicant owns the property at the proposed point of diversion.

Water Right Validity:

The rights involved in the transfer were decreed in the SRBA; 29-2039 in 2004, and 29-4444 and 29-13955 in 2011. 2006, 2011 and 2015 aerial photography shows growing vegetation and signs of irrigation practices. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes. The point of diversion is simply being updated to reflect the historical location. The authorized quantity to be diverted will not change as a result of the transfer. The transfer was advertised, and no protests were received.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither the rate, volume nor irrigated acres will increase as a result of the transfer. There are no overlapping irrigation rights at the current place of use.

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 of this application.