

MEMORANDUM

Date: July 24, 2019
To: Transfer 83357
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This is one of three companion transfers filed by Falls Irrigation District. The purpose of this transfer is to add a point of diversion to rights 29-13426 and 29-13427 in order to make better use of the water, especially late in the irrigation season when surface water supplies are less reliable.

Authority to File:

IDWR records show the USBR as the current owner of the water rights. However, the Falls Irrigation District water users hold equitable title in these rights. Therefore, the District is authorized to file the transfer application. The USBR is aware of the application and does not oppose the transfer. The USBR prepared an Environmental Assessment for the project and issued a Finding of No Significant Impact in December 2018. The applicant provided a letter from the owners of the new well location, whereby they granted the District access to the property. The applicant also provided a letter confirming that Shawn Tischendorf is authorized to sign on behalf of the District.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2004. Except for 2006 and 2007, post-decree WMIS data shows consistent diversion of water from the current wells. Forfeiture is not an issue.

Injury to Other Water Rights:

The proposed transfer had potential for injury, but other water rights should not be impacted by the transfer approval. The current and proposed points of diversion are within the ESPA boundary. The applicants provided an ESPA model analysis which showed that mitigation is not required when moving water from the two existing wells to the new well. However, the analysis did not show all the pumping scenarios contemplated by the application as filed. Model runs showing movement of water between the two existing wells failed in both directions. Therefore, the volumes diverted from each of the existing wells will be limited in order to prevent injury. Also the combined diversions from the north and center wells will be limited to 584 AF because the ESPA model showed that only 11 AF per trimester could be moved from the south well to either the north or the center well without causing injury. The application was advertised and no protests were filed. The watermaster reviewed the transfer and did not oppose its approval.

Enlargement of Use:

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