

MEMORANDUM

Date: July 10, 2019
To: Transfer 83293
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 2.5-acre portion of water right 22-14026. The proposed place of use is the Drake Creek Reserve Subdivision, which consists of 5 building lots. Ground water will be used to irrigate up to 1/2 acre around each of the homes to be constructed in the subdivision. The remaining acres will be irrigated using Drake Creek water right 22-13674. At this point, it is not known where the homes will be constructed within the subdivision lots. Therefore, the applicant proposes a 153-acre permissible place of use.

Authority to File: Gary and Shannon Summers are the current owners of record for water right 22-14026. Even though the property at the existing place of use has been sold, Summers has demonstrated continuing ownership of the 2.5-acre portion of the right. Application included an Agreement for Purchase and Sale of Water Right, wherein Summers agrees to sell 2.5 acres of water right 22-14026 to the applicant, Prometierra LLC. Ownership of the split portion of the right will be updated in a separate process after the transfer is approved. Prometierra has the authority to file.

Water Right Validity: Water right was decreed in November 2008. Water right has been in the WSB since 2013 and has been protected from forfeiture since that time.

Injury to Other Water Rights: No apparent issues. Proposed diversion rate is very small.

Enlargement of Use: Ground water right will not be stacked with Drake Creek water right 22-13674 and, therefore, does not require combined acre limit conditions. The diversion rate for water right 22-14026 may not be sufficient to satisfy the demand of subdivision irrigation. Subdivision lawn and garden irrigation rates can exceed 0.03 cfs per acre because homeowners only run their sprinklers for part of the day. Therefore, the instantaneous irrigation demand in the subdivision could be as much as 0.075 cfs. The transferred right only supplies 0.03 cfs. There is a concern that the subdivision users will exceed the authorized diversion rate. Fortunately, the existing water system includes a 65,000 gallon storage tank. In order to supply the higher rate, the storage tank would need to hold 16 hours of the authorized diversion rate, which equates to 13,000 gallons. The storage tank is more than sufficient to store this water. Therefore, enlargement of the diversion rate is not a concern. Prometierra will be able to divert from the proposed well at a steady 0.03 cfs and irrigate from the tank at the higher (expected) rate.

Local Public interest: No apparent issues.

Beneficial Use/Conservation of Water Resources: No apparent issues.

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.