

MEMORANDUM

Date: July 9, 2019

To: Transfer 83345

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The current well associated with right 22-7541 caved in. As a result the applicant seeks to move the potato cellars to a nearby location and drill a well there. The transfer will change the point of diversion and place of use for the right, and will correct an apparent error in the season of use.

Authority to File:

IDWR records show Mark Ricks as the current owner of right 22-7541. However, MGR Farms provided a 1997 deed showing ownership of the current place of use and its appurtenances. Ownership of the water right will be updated in the transfer. Madison County tax lot data shows the applicant as the owner of the current and proposed points of diversion and places of use. The application was signed by Grant Ricks. The Secretary of State webpage shows that he is authorized to sign on behalf of the LLC.

Water Right Validity:

The right included in this transfer was licensed in 1991. The applicant indicated that the right has not undergone a period of 5 or more consecutive years of non-use, and there is no evidence available to IDWR that the right has been forfeited.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed change. The current and proposed points of diversion are within the ESPA boundary, but an ESPA model analysis is not required because the current and proposed wells are located within adjacent model cells. There is no evidence that the proposed changes will reduce the quantity of water available to other water rights. The transfer application was advertised and no protests were filed. The watermaster reviewed the transfer and did not oppose its approval.

Enlargement of Use:

Application for permit no. 22-7541 shows commercial use from 2/1 to 12/31, and that season of use was carried through to license. The applicant believes that this was a typo because it is common for humidifiers to be used in potato cellars in January. This transfer application seeks the flexibility to operate at any time during the year. Adding January to the existing season of use should not result in enlargement because neither rate nor volume 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.