

MEMORANDUM

Date: May 31, 2019

To: Transfer 83190

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The point of diversion for right 35-7718 is a shared well located on a neighbor's property. The purpose of this transfer is to change the point of diversion for this right to a location on the applicants' property. Right 35-7118 was brought into the transfer as an associated right in order to remove conditions related to the shared well.

Authority to File:

IDWR records show the applicants as the current owners of the water right, and Power County tax lot data shows the applicants as the owners of the proposed point of diversion and most of the place of use. A few acres appear to be owned by another entity. However, the place of use will not change as a result of the transfer.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2002. Post-decree aerial photos show regular irrigation of the place of use. Forfeiture is not an issue.

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 the same model cell. 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:

Rights 35-7718 and 35-7118 are limited to 3.78 cfs when combined. The diversion rate for right 35-7718 was reduced in the transfer in order to prevent enlargement. The conditions related to the shared well were removed from both rights. 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.