

MEMORANDUM

Date: January 2, 2019
To: Transfer 82744
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change and add points of diversion and to change the place of use of a 72.2-acre portion of ground water rights 33-2138, 33-7040, and 33-7172. After the changes the irrigation system will consist of five interconnected wells and several pivots. Right 33-7172 is a trust water right, so a condition will be added to both the parent and child portions of 33-7172 to make it clear that the rights are for trust water.

Authority to File:

A business entity search on the Idaho Secretary of State webpage showed that Rod Pancheri was authorized to sign on behalf of the applicant. IDWR records show the applicant as the current owner of the water rights being changed. Butte County taxlot data also shows the applicant as the owner of the current and proposed places of use and points of diversion.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2000. Post-decree aerial imagery shows 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 changes because the total authorized to be diverted under the rights will not increase. The current and proposed points of diversion are within the ESPA boundary. The ESPA model was run and impacts to each Snake River reach was under 2 AF. Mitigation is not required. 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.

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. Individual water right acre limits and combined acre limits will be included on these rights. 72.2 acres will be dried up at the current place of use to prevent enlargement.

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.