

MEMORANDUM

Date: September 21, 2018
To: Transfer 82622
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change and add a point of diversion to water rights 22-2183 and 22-10483. The water right owner, Frank Summers Inc., made changes to the diversion system for the two water rights, and the proposal represents the current diversion system.

Authority to File:

The applicant, Frank Summers Inc., is the owner on record of the water rights, and the application signee, Kelly Summers, is the president of Frank Summers Inc. The applicant is also the owner of the taxlots according to the Madison County parcel map.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA. Review of 2006, 2011 and 2015 show growing vegetation on the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes because the total authorized quantity to be diverted will not increase. There is no evidence to suggest that the quantity of water available will be reduce due to the proposed changes. The transfer application was advertised, and no protests were received. The proposed changes are within the ESPA boundary, but the point of diversion changes are within adjacent cells, therefore no model simulation is required.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the rate, volume or irrigated acres will increase as a result of the transfer.

The proposed points of diversion in this transfer are associated with three other water rights, 22-2219, 22-4091 and 22-7491, that are involved in a place of use transfer (82709). All five water rights will share the same points of diversion, therefore, a combined limit condition has been place on all five rights.

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.