

MEMORANDUM

Date: July 25, 2018
To: Transfer 82374
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the POU and POD for water right 34-10236. The applicant is moving the water right to another farm in order to reduce the amount of ground water pumping occurring at the proposed POU.

Authority to File:

The applicant is the water right owner according to IDWR records. The applicant is the owner of the proposed POU according to Custer County records.

Water Right Validity:

The water right included in this transfer was decreed in the SRBA in 2001. Review of 2006, 2011 and 2015 aerial photography shows growing vegetation and irrigation practices on the current POU. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes. The water right is being moved to another farm in order to reduce ground water use at the proposed POU. The total authorized ground water and surface water diversions at the current and proposed POUs when combined will not change. There are no PODs between the current and proposed PODs that will be injured due to the changes. The application was advertised and no protests were received. The current water master for water district 34 does not oppose the approval of the application.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the rate, volume nor irrigated acreage will increase as a result of the transfer. There are associated water rights with combined limits that overlap the current and proposed POU, but the combined limits have been adjusted to prevent enlargement. The authorized use for water right 34-13571 has been reduced from 2.00 cfs to 1.80 cfs. This was done because the right had a combined limit with water rights 34-727B, 34-10236 and 34-13874 for 3.80 cfs. After moving the POU and POD for water right 34-10236, the combined limit will be reduced from 3.80 cfs to 1.80 cfs. Therefore, water right 34-13571's quantity must be reduced from 2.0 cfs to 1.80 cfs in order to not contradict the new combined limit of 1.80 cfs with the other remaining rights.

The department initially had concerns about enlargement in use of the groundwater rights 34-2407 and 34-7460 at the current place of use if senior water right 34-10236 is moved off. Furthermore, there were also concerns that the Pass Creek rights at the current place of use would not be delivering their entire authorized quantities, due to well known shrink in the region, and early summer cutoff dates. After discussing the concerns with the applicant's representative, we have been informed that the Pass Creek rights are delivered for the majority of the summer and are delivered through a pipeline, therefore no conveyance loss will occur. Also, the applicant has purchased more storage water in the Burnett Ditch (25,000 inches total) in order to cover any decrease in surface water availability at the current place of use, which was confirmed by the Big Lost Irrigation District.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:
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.