

MEMORANDUM

Date: September 18, 2018
To: Transfer 82499
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the point of diversion, place of use, and nature of use of a 1.5-acre portion of right 35-2568 in order to mitigate for evaporation and seepage losses from a pond at a concrete batch plant. Water District 1 Rental Pool water will be used for the initial fill of the pond. Right 35-7769 was brought into the transfer as an associated right in order to update combined limits and conditions.

Authority to File:

The applicant has a purchase and sale agreement with the current owners for the portion of the water right included in the transfer. Ownership will be updated upon approval of the transfer. The applicant provided a statement from the lien holder giving assent to the transfer. The application was signed by the president of the company.

Water Right Validity:

Water right 35-2568 was decreed in the SRBA in 2002, and the right was included in Transfer 81535, which was approved in 2017. Aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

The applicant provided an ESPA model analysis and showed that mitigation was not required because impacts were less than 2 AF per trimester. The application was advertised and protested by the Surface Water Coalition, but the protest was withdrawn upon the understanding that the parent right would not be enlarged and that the applicant provided adequate mitigation to offset the proposed consumptive uses. The watermaster of Water District 120 reviewed the application and did not oppose its approval.

Enlargement of Use:

After new right 25-14468 was split from parent right 35-2568, condition amounts and combined limits for 35-2568 and associated right 35-7769 were reduced in order to prevent enlargement. The proposed uses will not result in enlargement because enough acreage was removed from the original place of use to offset the increase in consumptive uses at the gravel wash facility and the concrete batch plant. The diversion rate and volume authorized under the rights will not increase.

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.