

MEMORANDUM

Date: June 26, 2018
To: Transfer 82215
From: Amanda Fowler
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion for a 4-acre portion of water right 31-12246.

Authority to File:

The applicant is the property owner of the proposed place of use and point of diversion. Supporting documents submitted with the application show the Chip Gasser (water right owner) conveyed a 4-acre portion of water right 31-12246 to the applicant. The ownership for the 4 acre portion will be updated into Robert Davies' name. The applicant has the authority to make the changes.

Water Right Validity:

The right included in the transfer was decreed in the SRBA in 2002. The existing and proposed places of use are both located within corners of the same center pivot. Review of 2013, 2015, and 2017 satellite imagery shows a portion of water right 31-12246 (0.5 acres) has not been used due to the existence of a house and driveway at the existing place of use. The same imagery shows the proposed place of use has been irrigated for the past five years without a valid water right. Due to the location of the non-use and the excess use around the same pivot, forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed change. Water right 31-12246 is currently within the ESPA boundary. The current place of use and proposed place of use are located within the same ESPA model grid cell. The current point of diversion and proposed point of diversion are located within adjacent ESPA model grid cells. Therefore, no ESPA mitigation model will be required for the transfer. The transfer was advertised and there were no protests. The water right is regulated by Water District 110. The watermaster does not oppose the application.

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. There are no overlapping water rights on either property.

Local Public Interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.