

MEMORANDUM

Date: July 20, 2018
To: Transfer 82443
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to combine 29-2404 and a portion of 29-2270 in order to reflect changes to the irrigation system.

Authority to File:

IDWR records show the applicant as the current owner of both water rights, and Bannock County taxlot data show the applicant as the owner of the proposed point of diversion and place of use. The application was signed by the applicant's attorney, who was given authority to sign on behalf of the LLC.

Water Right Validity:

The rights were decreed in the SRBA in 2004. Post-decree aerial photography shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

The proposed point of diversion (POD) is the current POD for 29-2404 and is located 0.7 miles downstream from the current POD for 29-2270. There are no points of diversion on Marsh Creek between the current and proposed points of diversion. The Water District 29H Watermaster reviewed the application and did not oppose its approval. There is no evidence that the proposed change 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 irrigated acreage will increase as a result of the transfer.

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.