

MEMORANDUM

Date: April 19, 2018
To: Transfer 82136
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add points of diversion and create a combined place of use for rights 29-7153 and 29-14147. The changes will allow the applicants to more efficiently irrigate their most productive land.

Authority to File:

Department records show the applicants as the current owners of the rights. Ownership of 29-7153 was confirmed upon review and approval of transfer 78974 in 2014, and an ownership change for 29-14147 was processed in 2015. The place of use and two of the proposed points of diversion are owned by the applicants according to Bannock County taxlot data. The proposed point of diversion located in the NENE quarter (currently associated with 29-14147) was conveyed to KAP Properties along with water right 29-14147 in 2014.

Water Right Validity:

Both rights were decreed in the SRBA in 2004. Review of post-decree aerial photography shows growing vegetation on the decreed place of use since the time the partial decrees were filed. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed changes because the total authorized to be diverted under the rights will not increase. There is no evidence that the proposed changes will reduce the quantity of water available to other water rights. The transfer application was advertised and no protests were filed.

Enlargement of Use:

Water right 29-7153 is combined with water from Marsh Center Irrigating Company. The proposed place of use is still within the canal company's digital boundary. Right 29-14147 is not currently stacked with other water rights. The proposed changes will not result in enlargement because neither rate nor volume 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.