

MEMORANDUM

Date: October 4, 2017
To: Transfer 81820
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to move a 5.2-acre portion of water right 35-7903B to the same POU and POD of water right 35-8671 in order to cover the acres being irrigated at that location. The transfer also proposes to change the POU of water right 35-8671 from 3 acres to create a 8.2-acre POU with a 3-acre limit.

Authority to File:

The applicants are the current water right owners of record. Darvel and Kathryn Gregory own water right 35-8671 and the property at the proposed POU and POD. Chad and Jill Gregory are the owners of record for water right 35-7903B. Application included a lease agreement, allowing Darvel and Kathryn Gregory to move a 5.2 acre portion of right 35-7903B to their property for a five year period. Chad and Jill Gregory will continue to be the owners of the 5.2 acre portion of water right 35-7903B.

Water Right Validity:

Water right 35-7903B was decreed in the SRBA in 2012 and water right 35-7903B was licensed in 1993. Review of 2013 aerial photography shows growing vegetation at the existing POUs for the water rights. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The transfer proposes to split 5.2 acres from water right 35-7903B, and combine with the POU and POD of water right 35-8671. The POU of the split acres will cease to be irrigated, and the authorized combined quantity to be diverted will not increase. The transfer has been advertised, and no protests were received. An ESPA model simulation was completed for the proposed change and found that no mitigation will be required.

Enlargement of Use:

The proposed change will not result in enlargement because the combined total rate, volume or irrigated acres will not increase as a result of the transfer. The proposed POU is for 8.2 acres, which will require water right 35-8671 to have a 3-acre limit and water right 35-14545 to have a 5.2-acre limit condition imposed.

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.