

MEMORANDUM

Date: July 31, 2017
To: Transfer 81802
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

Rights 31-7030A and 31-12206 each have two points of diversion, one of which is shared by both rights. However, the system is no longer interconnected. Each well is used to irrigate distinct acreage, and there are no overlaps. The purpose of this transfer is to rearrange the place of use to reflect three separate irrigation systems. In order to accomplish the change, split portions of rights 31-7030A and 31-12206 will be combined to water the two quarter mile wiper pivots. The unchanged portion of 31-7030A will be used to irrigate only the large wiper, while the unchanged portion of 31-12206 will be used to irrigate the full pivot. The point of diversion in the NWNE of section 17 will no longer be associated with the unchanged portions of rights 31-7030A and 31-12206, but will be used to deliver the two splits. The applicant also seeks to remove right 31-7030B, owned by Nick Hillman, from a combined rate limit.

Authority to File:

The applicant provided a warranty deed demonstrating ownership of the rights. The applicant also provided documentation showing that US Agriculture LLC is the managing company, and that Adam Gore is authorized to sign on behalf of the company.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2002. Post-decree imagery shows regular irrigation of the entire place of use. Although the configuration changed slightly, the full acreage allowed by these rights continued to be watered. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged to reflect changes in the irrigation system. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice.

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. Although the place of use for the transferred rights is being rearranged, individual water right acre limits will be carried forward in order to prevent enlargement. Right 31-7030B will be removed from the combined rate limit for rights 31-7030A and 31-12206, but the combined rate limit of the rights included in this transfer will be reduced by 1.60 cfs in order to compensate for its removal.

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.