

MEMORANDUM

Date: December 27, 2016
To: Transfer 81291
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use, change the point of diversion and add a point of diversion for a 16.3 acre portion of water right 29-13892. The transfer proposes to split off a 16.3 acre portion of water right 29-13892 and move it to The Prairie Estate Subdivision Plat to provide irrigation for all the lots to be developed. The Prairie Estate Subdivision has yet to be built, but Bannock County taxlot data shows each lot, which coincide with the proposed place of use.

Authority to File:

The applicant is not the current water right owner according to IDWR records, but a Water Right Purchase and Sale Agreement is included which shows the 16.3 acre portion of water right 29-13892 being sold to the applicant. The applicant is the owner of the proposed place of use and diversion points.

Water Right Validity:

The water right included in this transfer was decreed in the SRBA in 2004. Aerial photography in 2009, 2011 and 2015 of the current place of use shows growing vegetation. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured due to the proposed changes. The proposed place of use and points of diversion are moving to a new location within the ESPA, requiring an ESPA model simulation to be run. The results showed the effects of pumping at the new points of diversion to not exceed 2 acre-feet per trimester, nor will it increase depletion greater than 10% to any hydraulically-connected reach of the Snake River, therefore no mitigation is required. The proposed changes were also advertised, and no protests were filed.

Enlargement of Use:

The changes will not result in enlargement because neither the rate, volume or irrigated acres will increase as a result of the transfer.

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.