

MEMORANDUM

Date: March 3, 2017
To: Transfer 79938
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes changing the point of diversion for water rights 34-14167 and 34-14169. A new well will be constructed in the NESE of Section 29. Historically, the place of use for these two water rights and a neighboring property was jointly owned and irrigated from a single well, located on the neighboring property. The property was split and the owner of 34-14167 and 34-14169 lost access to the existing well. This transfer will make it possible for Burnett, the current owner of 34-14167 and 34-14169, to divert his ground water rights.

Authority to File: Boyd Burnett is the owner of record for the water rights and the owner of the existing POU and proposed POD according to Butte County taxlot records.

Water Right Validity: Aerial photos show consistent irrigation of the property. Property is covered by Big Lost River rights and storage water rights which generally provide an adequate supply of water. Because the acres have been consistently irrigated, there are no forfeiture issues.

Injury to Other Water Rights: Application was protested. As part of the contested case, Burnett retained a consultant to evaluate the drawdown impacts to neighboring wells if the transfer were approved. The report shows little or no impact to neighboring wells. To settle protests filed by two neighbors, Carpenter and Babcock, Burnett agreed to restrict the new well to a 16 inch diameter casing and agreed to never transfer any other water rights to the new well. These limits are reflected in approval conditions.

Enlargement of Use: No issues identified.

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.