

MEMORANDUM

Date: February 17, 2017
To: Transfer 81379
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and place of use for a 1-acre split from water right 22-14206. The owners of water right 22-14206 have gifted a 1-acre piece to the Wilford-Chester Cemetery District to be used to irrigate the cemetery lawns. The cemetery will also drill a new well to accommodate the additional irrigation water.

Authority to File:

The applicant is not the current owner of record for water right 22-14206. Applicant provided a copy of a gift assignment from the current owner to Wilford-Chester Cemetery District for a 1-acre portion of the water right. The 'gift assignment' states that the cemetery district must file the paperwork to accomplish a transfer of the 1-acre split. Keith Blanchard signed the application. He is a board member of the district with authority to sign on behalf of the district, according to the 'Local Taxing District Election Information' document provided. The applicant is the landowner at the location of the proposed point of diversion and place of use according to Fremont County taxlot data.

Applicant does not propose to update the ownership of the water right at this time. An ownership change will be filed upon approval of the transfer.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2012. Review of 2011, 2013 and 2015 aerial photography shows signs of irrigation and growing vegetation over the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed changes. The proposed point of diversion is located within another ESPA model cell, requiring an ESPA model simulation to be run to determine if mitigation is necessary. The results show no mitigation will be required for the 1-acre split transfer. The proposed transfer was advertised and no protests were filed.

Enlargement of Use:

The proposed change 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.