

MEMORANDUM

Date: February 2, 2017
To: Transfer 81372
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 WR 74-7205 and 74-14368. The proposed changes are part of the Hawley Creek Habitat Restoration Project, where water will be piped from the existing Hawley Creek H-2 diversion to the proposed place of use for stockwater and wildlife.

Authority to File:

The applicant is the current water right owner according to IDWR records. The applicant is the property owner of the proposed POD and POU according to Lemhi County taxlot data.

Water Right Validity:

The rights included in this transfer were both decreed in the SRBA in 2000. There is no information available that would indicate that the right has not been used. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes. The point of diversion is changing from a ditch delivery system to a pipeline and troughs, focused on more efficient delivery. The proposed changes were advertised, and no protests were submitted. The Water District 74W Watermaster reviewed the application and did not oppose its approval.

Water right 74-14368 was decreed with 'unnamed stream' as its source, tributary to Hawley Creek. Aerial photography shows the 'unnamed stream' is actually a ditch, which diverts water from Hawley Creek at the H-2 diversion. Hawley Creek is clearly the actual source of this right. Water right 74-7205 was decreed with 'spring' as its source tributary to Hawley Creek. Aerial photography shows no evidence of a spring at the location of the decreed point of diversion. The only water at that location is the aforementioned ditch, which diverts water from Hawley Creek at H-2. It appears that Hawley Creek has also been the actual source of 74-7205. Since water right 74-7205 will remain the most junior right on the stream, and since both rights will continue to be administered relative to the other rights in the Hawley Creek system, a source correction will not injure existing water rights. Therefore, the source will be changed for both water rights to Hawley Creek tributary to Eighteenmile Creek.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the rate or volume will increase as a result of the transfer. Water right 74-7205 was originally conditioned to supply stockwater to 303 range cattle, and water right 74-14368 was conditioned to supply stockwater for 100 range cattle, 5 horses and wildlife, and there is no increase to the decreed number of stock.

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.