

MEMORANDUM

Date: December 21, 2016
To: Transfer 81253
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to add points of diversion and create a combined place of use for rights 29-7489A and 29-13992 in order to reflect the current irrigation system. Three interconnected wells now serve two quarter mile pivots.

Authority to File:

A business entity search on the Idaho Secretary of State webpage showed that Leon Nelson had signature authority for the applicant, Downey Properties, LLC. The applicant is the current water right owner of record, and Bannock County taxlot data shows the applicant as the owner of the place of use and the three points of diversion.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2004 and 2005. Post-decree aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed changes because the total authorized to be diverted under the rights will not increase. There is no evidence that the proposed change will reduce the quantity of water available to other water rights. The transfer application was advertised and no protests were filed.

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. Individual water right acre limits and a combined acre limit will be added to these rights to prevent enlargement.

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.