

MEMORANDUM

Date: August 24, 2016

To: Transfer 80808

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the place of use to reflect the current irrigation system. The transfer creates a combined place of use for five water rights, and it also specifies an 84 acre place of use for ground water right 34-2353.

Authority to File:

The applicants are the current water right owners of record, and Butte County tax lot data confirms the applicants' ownership most of the current and proposed places of use. A small portion of the current place of use is owned by Mark Wheeler. However, Mark signed the transfer application in order to give his assent to the proposed changes.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 1997. The majority of the current place of use shows evidence of consistent irrigation, but there are some acres that do not show growing vegetation on available post-decree aerial imagery. This is most likely due to water supply. Ground water right 34-2353 provides for the irrigation of 84 acres, and Big Lost River right 34-382 is limited to 62 acres. The three remaining Big Lost River rights have junior priority dates and normally get cut early in the irrigation season. Since priority cuts on the river are outside the control of the applicants, there is no finding of forfeiture in this case.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged to reflect changes in the irrigation system. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice. However, the watermaster will have the opportunity to review the application prior to approval.

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. Although the place of use for the transferred rights is being rearranged, these rights will continue to overlap each other, and each right will contain conditions of approval which 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.