

MEMORANDUM

Date: July 13, 2016

To: Transfer 81036

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the place of use to reflect changes to the irrigation system and to update the ownership of rights 27-11946 and 27-12217. The transfer creates a combined place of use for the two rights, and also removes 2 unused points of diversion from 27-12217.

Authority to File:

The applicant provided several deeds confirming his ownership of the majority of the current place of use and its appurtenances. A small portion of the current place of use is owned by the applicant's daughter, but the applicant provided a notarized document from her in which she granted her Sand Creek water rights to him. The deeds confirmed the applicant's ownership of the proposed place of use.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2012. Forfeiture is not an issue.

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 right 27-11946 will be limited to 15.9 acres within the combined place of use in order 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.