

MEMORANDUM

Date: August 3, 2016
To: Transfer 81000
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion, add a point of diversion, and change the place of use for a 4-acre portion of water right 29-13892. The split portion, assigned water right number 29-14186, is being moved to cover irrigation for a new part of Legacy Hills subdivision in Bonneville County. The proposed place of use is a 13-acre tract, with 4 irrigable acres split among quarter-acre parcels. The proposed point of diversion is already servicing parcels adjacent to the newly developing properties. The place of use will be described as a 13-acre permissible place of use. Water user will define the 4 irrigated acres within the 13-acre area before diverting water for irrigation.

Authority to File:

The applicant is the current water right owner according to IDWR records. The applicant is not the current landowner, but past documentation involving an ownership change in 2009 shows that the water rights were excluded when the land was sold to Merrill Materials LLC. The proposed place of use is owned by John R. and Jan E. Grimmit, and John L. Grimmit, for which a sale agreement is attached showing the purchase and sale of the new split portion of water right 29-13892.

Water Right Validity:

The water right included in this transfer was decreed in the SRBA in 2004. Aerial photography in 2009, 2011, and 2015 of the place of use shows growing vegetation. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured due to the proposed change. The place of use and point of diversion are moving to a new location within the ESPA, requiring an ESPAM 3.2 stimulation to be conducted. The results showed the effects of pumping at the new point of diversion to not exceed 2 af/year, therefore no mitigation is required. The proposed changes were also advertised, wherein no protests were filed to oppose the change.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the diversion 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.