

MEMORANDUM

Date: March 28, 2016
To: Transfer 80687
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and change the place of use for water right 35-10929. The applicants recently acquired right 35-10929 and now seek to move the right to their property located in the SWSW of Section 28, T02S, R34E.

Water right 35-10929 bears a priority date of 7/1/1940 and represents a 42-111 (13,000 gpd) exempt domestic use. Water right 35-10929 is currently stacked with water right 35-4029 which bears a priority date of 6/1/1910 and also represents a 42-111 (13,000 gpd) exempt domestic use. These two rights are for the same home and in combination would be limited to 13,000 gpd, even though neither right carries a combined use limit.

The transfer proposes to move 35-10929 and stack it with water right 35-10710 which bears a priority date of 7/1/1920 and represents a 42-111 (13,000 gpd) exempt domestic use. The proposed transfer can be approved. Water right 35-10929 represents the more junior stacked domestic use in both cases. Because the right is being moved from a stacked condition to a similar stacked condition, there is no danger of enlargement. Combined limits will be added to water rights 35-10929 and 35-10710, limiting the rights to a combined 13,000 gpd.

Authority to File:

The applicants are the current owners of right 35-10929 per quit claim deed. The applicants are the owner of the property at the proposed point of diversion and proposed place of use per warranty deed.

Water Right Validity:

Decreed in 1997. Use of water under this right has historically been used for one home and 300 cattle. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. ESPA analysis shows impacts to the ESPA river reaches are less than 2.0 acre-feet per trimester. This transfer was advertised and there are no protests. The watermaster does not oppose the transfer. No issues identified.

Enlargement of Use:

No issues identified.

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.