

MEMORANDUM

Date: February 9, 2016
To: Transfer 80633
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to move right 22-13664 to the permissible place of use (PPU) previously established by transfer 74231 for rights 22-7215B, 22-7215C, and 22-13811. This transfer will also identify the specific acres to be irrigated by these rights within the PPU as required by a condition of approval in transfer 74231.

Authority to File:

An ownership change was recently processed confirming the applicant's ownership of right 22-13664. The applicant is also listed as the current owner of the other rights included in the transfer. The application was signed by a representative who provided power of attorney documentation. The mortgage holder provided a letter consenting to the transfer.

Water Right Validity:

Right 22-13664 was decreed in the SRBA in 2009, and the other three rights were decreed in 2008. Review of available photography shows little evidence of irrigation at the current place of use of right 22-13664. However, the applicant said that the right has been used together with the other 3 rights within the proposed PPU each year since the decree. The four rights are pumped from the same well and are combined with surface water in a pond for irrigation of the place of use. Based on review of post-2009 aerial photography, the number of acres irrigated within the PPU appears to be greater than the total acreage allowed by the four rights alone. Therefore, these four rights are valid.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being changed to reflect current irrigation practices. Neither the point 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.

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. Both the current and proposed place of use for right 22-13664 is overlapped by Grand Teton Canal shares. Consistent with approved transfer 74231, right 22-13664 will contain supplemental conditions which limit the right 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.