

MEMORANDUM

Date: January 28, 2016
To: Transfer 80595
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The applicants purchased a 40 acre parcel of land together with its appurtenant ground water and Big Lost River rights. The rights were recently split through an ownership change. The current point of diversion for the two ground water rights is located on the previous owner's property. The purpose of this transfer is to change the point of diversion of the ground water rights to a new well to be drilled on the applicants' property.

The rights being transferred were leased to the Water Supply Bank (WSB) in 2014. Clay Webster was notified of the pending application. He said it would be okay to continue processing the transfer. The applicants understand that these rights cannot be used until they are released from the WSB.

Authority to File:

In December 2015 the applicants filed an ownership change and provided a warranty deed which demonstrated their ownership of the water rights.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 1998. IDWR staff performed a forfeiture analysis when the previous owner of the rights submitted his WSB application in 2014. The rights were determined to be valid and were accepted into the WSB. The lease does not expire until 2018, so the rights are currently protected from forfeiture.

Injury to Other Water Rights:

An ESPA model run is not required because the proposed well is located within the same model cell as the current well. Other rights will not be injured by the proposed change because the quantity authorized to be diverted will not change as a result of the transfer. The application was advertised and no protests were filed.

Enlargement of Use:

The proposed change will not result in enlargement because the total acreage, diversion rate, and volume authorized for irrigation under the right will not increase. The transferred rights were not decreed with specific annual volumes, but did have a combined volume limit. Therefore, volumes were added to each right in order to reflect the current standard for the area (3.5 af per acre).

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.