

MEMORANDUM

Date: July 29, 2015
To: Transfer 80186
From: Scott Bergendorf
Re: Transfer Analysis

This transfer application proposes to create a 177-acre combined place of use for water rights 34-14, 34-218B, 34-312A, and 34-2424A. The proposed place of use will allow for the installation of a center pivot on the property. Points of diversion for the rights will not be changed. Water rights 34-14, 34-218B and 34-312A are junior water rights from the Big Lost River. Water right 34-2424A is for ground water and is limited to 141 acres of irrigation. Right 34-2424A currently overlaps water rights 34-14 and 34-218B. Transfer approval will allow the 177-acre combined place of use, but will require the applicant to identify the specific 141 acres to be covered by ground water right 34-2424A. This requirement will prevent the water user from expanding the ground water right onto more than 141 acres.

Authority to File:

Applicants are the current owners of water rights per IDWR record and owners of the proposed place of use per Butte County Taxlot data.

Water Right Validity:

Water Rights were decreed in 2001 and 2002. Review of aerial photography indicates regular use of the water rights. Forfeiture is not an issue.

Injury to Other Water Rights:

Injury to other rights is not apparent. The irrigated acreage is being re-arranged within the same property. There is no physical change to the location of the points of diversion. Because the POD's are not changing, no ESPA Transfer Tool analysis is required. The application was processed without advertisement. The watermaster does not oppose the transfer.

Enlargement of Use:

The proposed change will not result in enlargement of use. Neither rate nor acres will increase as a result of the transfer. Water user will be required to identify the specific 141 acre place of use for ground water right 34-2424A to prevent enlargement.

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.

SCANNED
AUG 07 2015