

MEMORANDUM

Date: August 14, 2015
To: Transfer 79909
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and place of use of a portion of right no. 34-7226C in order to irrigate the Arco Cemetery.

Authority to File:

The transfer application was signed by the secretary of the cemetery maintenance district. A business entity search on the Idaho Secretary of State web page showed her authorization to sign on behalf of the association. The applicant provided a recorded quit claim deed demonstrating ownership of the water right portion sought to be changed. Butte County taxlot data showed the applicant as the owner of the proposed place of use.

Water Right Validity:

Right no. 34-7226C was decreed in the SRBA in 2012. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed changes. The ESPA transfer tool was used to determine potential impacts on the Snake River. The model results showed that mitigation is not required because impacts were less than two acre-feet per trimester on each Snake River reach. The transfer application was advertised and no protests were filed. The watermaster also reviewed the application and did not oppose its approval. The quantity authorized to be diverted will not change as a result of the transfer.

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. Right no. 34-7226C is currently used together with four Big Lost River rights within a combined place of use. However, the surface water rights do not fully overlap the right being transferred. The surface water rights total 120.4 acres within a 146.2 acre place of use, leaving 25.8 acres irrigated exclusively with ground water. The 4.9 acre portion of right no. 34-7226C included in this transfer does not overlap the associated surface water rights. The acres irrigated by the Big Lost River rights and the remaining portion of right no. 34-7226C will be reduced accordingly. The number of stacked acres will not change.

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.