

MEMORANDUM

Date: April 15, 2015
To: Transfer 79982
From: Allison Torres
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
4/15/2015

This transfer proposes to split 8 acres from water right 31-7040A, move it to a new place of use, and combine it with water right 31-7100B. The combined place of use will be rearranged to more accurately reflect the acres actually irrigated by the applicant. The boundary for the new POU does not appear properly aligned with PLS because of slightly shifted imagery. The split portion of water right 31-7040A (water right 31-12367) will be diverted from an existing well authorized under water rights 31-7100B, 31-7603, and 31-11373. It should also be noted that, because of the aforementioned PLS shift, this POD appears to be in the NWSE of Section 20 rather than the SWSE of Section 20. For simplicity's sake and because the owner has not moved the point of diversion, the legal description of the POD will remain in the NESWSE of Section 20, as decreed in 2002 in the SRBA.

Authority to File:

Water right 31-7100B is owned by Circle B Farms Ltd Partnership and Ball Farms Ltd Partnership. Water right 31-7040A is owned by Circle B Farms Ltd Partnership. The applicants (Circle B Farms Ltd Partnership and Ball Farms Ltd Partnership) are represented by Robert M. Ball and Carl M. Ball, respectively. The proposed place of use for water rights 31-7100B and 31-12367 is owned by Circle B Farms Ltd Partnership.

Water Right Validity:

Water rights 31-7100B and 31-7040A were decreed in 2002. Land appears to have been consistently irrigated per Department aerial photography. There is no clear and convincing evidence that these water rights are forfeited. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 110. ESPA analysis for the point of diversion change for new water right 31-12367 is included in the transfer documents. No mitigation is required. Watermaster does not oppose transfer. This transfer was advertised and there were no protests. No injury issues identified.

Enlargement of Use:

No enlargement issues identified.

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.