

MEMORANDUM

Date: March 31, 2015
To: Transfer 79313
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer and companion transfer 79319 is to rearrange the place of use to reflect current irrigation practices.

Authority to File:

Department records show the applicant as the current owner of the water right, and county taxlot data shows the applicant as the owner of both the current and proposed places of use. The transfer application was signed by a general partner authorized to sign on behalf of the partnership.

Water Right Validity:

Right no. 74-61 was decreed in the SRBA in 2012. Review of post-2012 aerial photography shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged 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. The watermaster reviewed the application and did not oppose its approval. The application was advertised and no protests were filed.

Enlargement of Use:

Right 74-61 currently allows for the irrigation of 295.4 acres, and it partially overlaps right 74-40 and 74-41. However, 183.1 acres can be irrigated with 74-61 alone. This transfer consolidates the right onto fewer acres, but the authorized rate per acre will remain below the standard. The right will continue to overlap 74-40 and 74-41, as well as 74-38. These three rights have good priority dates and are generally deliverable most of the year, while 74-61 is a high water right. In order to avoid enlargement the number of acres irrigated exclusively with 74-61 will not increase.

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.