

MEMORANDUM

Date: November 17, 2014
To: Transfer 79668
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water right 74-739. The applicant seeks to adjust the place of use under this water right to match the current irrigation on his property.

Water right 74-250 (Agency Creek) authorizes the irrigation of 15.5 acres. This water right completely overlaps water right 74-739. The proposed place of use change for water right 74-739 will not affect the overlap. A combine acre limitation will be placed on water right 74-739.

Authority to File:

The applicant is the current owner of water right per IDWR record and owner of the proposed place of use per Lemhi County taxlot data (updated June, 2014). Rob Harris who is the applicant's attorney signed the application.

Water Right Validity:

Decreed in 2009. Aerial photography shows land to be consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

This water right is within WD 74. The point of diversion will remain the same. This transfer will be processed with no advertisement. The watermaster was notified of transfer application but did not provide any comment.

Enlargement of Use:

No 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.

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Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.