

MEMORANDUM

Date: October 9, 2014

To: Transfer
79433

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change a portion of right no. 35-13523 from irrigation to commercial and stockwater use in order to expand an existing dairy operation. The transfer also includes changes in point of diversion, place of use, and period of use, and the addition of a point of diversion.

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. 35-13523 was decreed in the SRBA in 2002. Review of post-2002 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 changes. The transfer proposes both a change in the location of a point of diversion and the addition of a point of diversion. Although a point of diversion is being added to the right, the quantity authorized to be diverted will not change as a result of the transfer. Since the existing point of diversion and the proposed points of diversion are located in adjacent ESPA model cells, an ESPA analysis was not necessary. The watermaster reviewed the application and did not oppose its approval. The transfer application was advertised and no protests were filed.

Enlargement of Use:

The current place of use of the transferred portion of the right is located within three quarter-quarters, but the proposed place of use will consist of portions of six quarter-quarters. Also, the proposed period of use will increase to all year. However, the proposed transfer will not enlarge the right beyond its historical beneficial use. By converting the appropriate number of irrigated acres to the proposed uses, the applicant demonstrated that the right would not be enlarged. The proposed changes will not result in enlargement because neither rate, volume, nor consumptive use will increase as a result of the transfer.

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.