

MEMORANDUM

Date: May 13, 2014
To: Transfer 79307
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This application proposes to add a third point of diversion to water right 11-72 in the SWNW of Section 10, T14S, R43E. The new (third) point of diversion is the ditch heading for Southfield Ditch and Canal Company. The POU will not be changed and will remain as decreed.

Authority to File:

The applicants have sufficiently demonstrated the authority to file. David Matthews and Daryl Sleight collected signatures from five of six property owners under the decreed place of use, consenting to the proposed addition of a POD. The property owners under the right are Eleanor Arnell, Russel Fjeldsted, Joseph Coon, Tracy Smith, David Mathews, and Daryl Sleight. No signature was received from Tracy Smith. However, the transfer may still be approved because there is no proposed change to the POU.

Even though the applicants demonstrated ownership to a portion of the water right, they chose not to update the ownership records at this time.

Water Right Validity:

The water right was decreed in 1932 and appears to have been used consistently since. The 1932 decree describes the irrigated place of use in very specific terms. The place of use set forth in the approval document accurately represents the 17.6 acre decreed place of use.

Injury to Other Water Rights:

No injury to other water rights is apparent if this transfer is approved. According to the applicants, the new POD has been used for many years. Applicants provided an agreement signed by Southfield Ditch and Canal Company authorizing the use of its ditch to convey the water right.

Enlargement of Use:

No issues identified. Rate, volume, irrigated acres will not increase as a result of this transfer's approval.

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.