

MEMORANDUM

Date: February 28, 2014
To: Transfer 79071
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This application proposes to adjust the designated service area for Liberty Park Irrigation Company to include an 18-acre field north of the Texas Slough. The application also indicated that the Company wanted to add a POD to irrigate the field. IDWR determined, however, that a POD addition was not necessary as the water is pumped directly out of the Texas Slough, which serves as the canal for Liberty Park. All of the water delivered from the Snake River into the Texas Slough is measured, regulated, and credited as a diversion to both Texas Slough Canal Company and Liberty Park Irrigation Company. Adding a POD on Texas Slough is therefore not necessary and would be akin to listing a POD on a ditch.

Authority to File:

The applicant has the authority to file. The signatory, Larry L. Hansen, is the President of the Liberty Park Irrigation Company according to the Company's Annual Report filed with the Idaho Secretary of State. Liberty Park Irrigation Company is the owner of the water right according to Department records.

Water Right Validity:

The water rights were all decreed on 3/14/2008. The company's water rights have been actively used since that time.

Injury to Other Water Rights:

The transfer proposes to address a POU violation. The POU added in this transfer was previously not covered by Liberty Park Irrigation Company's POU boundary, but has been irrigated with Liberty Park Irrigation water since at least 1987. Therefore, no injury to other rights is expected.

Enlargement of Use:

No enlargement is expected to result from this transfer. This transfer increases the size of Liberty Park Irrigation Company's POU boundary. A letter submitted by the president of Liberty Park Irrigation Company states that the Company has not exceeded the irrigation of 4,229 acres before filing the transfer, and will not exceed that limit after the transfer is approved.

The Watermaster for Water District 01 does not oppose this transfer.

Neither rate nor volume will increase as a result of this transfer.

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.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.