

MEMORANDUM

Date: February 26, 2014
To: Transfer 78987
From: Heather Bohac
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use of existing water rights to cover a portion of ground currently being irrigated without a valid water right. Water rights 35-2109A & 35-13565 will be split creating water rights 35-14371 & 35-14376. Disproportionate amounts of each of these rights were taken to avoid filing a separate POU transfer. 34 acres will be split from water right 35-2109A and 17 acres will be split from water right 35-13565. Water rights 35-14371, 35-14376 and 35-2109B when combined will be limited to 78 acres. Water right 35-13566 is an enlargement of water rights 35-2109A & 35-13565. This right was added to the transfer as an associated water right. The place of use and conditions of approval will be updated. An existing well under 35-2109B will be used. Enlargement right 35-13566 will continue to be associated with 35-2109A & 35-13565 and will be limited to 135 acres within a combined place of use.

Authority to File:

The applicant is the current owner of the water rights involved. A quit claim deed shows she is the owner of the lands involved. The application has been signed by Thomas Budge who has Power of Attorney.

Water Right Validity:

Water rights 35-2109A & 35-2109B were decreed on 1/31/02, 35-13565 was decreed on 9/28/07 and 35-13566 was decreed on 4/8/08 in the SRBA. 2013 aerial photography shows ground to be irrigated. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No issues identified. Points of diversion are located in the same ESPA model grid; no analysis required. Water rights are within WD 120. Watermaster does not oppose this transfer. This transfer was advertised and no protests were received.

Enlargement of Use:

No issues identified. Applicant plans to purchase water from Aberdeen Springfield Canal Co to cover ground located in T03S, R33E, Sec29, NENE which was previously irrigated by the water rights being transferred.

Local Public interest:

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.