

MEMORANDUM

Date: January 11, 2014
To: Transfer 79039
From: Heather Bohac
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add points of diversion to water right 35-2553A. The applicant uses five existing interconnected wells to irrigate land under water rights 35-7169, 35-7373, 35-10422, 35-14258, 35-14260, 35-14262, 35-2713 and **35-2553A**. Currently water right 35-2553A is authorized to use one of the five points of diversion. Through this transfer the applicant seeks to include all five points of diversion.

This is one of four transfers that the applicant filed seeking to add the same five points of diversion to their water rights. The applicant filed four separate transfers for the purpose of keeping the irrigation places of use under water rights 35-7169, 35-7373, 35-10422, 35-14258, 35-14260, 35-14262, 35-2713 and **35-2553A** separate.

These four transfers were filed in response to an over pumping concern with the point of diversion in the NENE of 05S, 31E, Section 7. Aberdeen American Falls Ground Water District notified WD 120 watermaster of ground water diversions diverting in excess of their water rights for the 2012 irrigation season. The applicant is working toward resolving this concern by filing these transfers to add all five points of diversion to their water rights.

Authority to File:

The applicant is the current owner of water rights per IDWR record and owner of the property at the points of diversion per Bingham County parcel viewer.

Water Right Validity:

The water rights involved in this transfer were decreed in 2002. Aerial photography shows consistent irrigation. A portion of this water right is in the process of being leased again to the Idaho Water Supply Bank. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. Two of the five points of diversion are not within adjacent cells. The applicant provided an ESPA analysis showing that impacts to the Snake River reaches are either less than two acre-feet per trimester or less than ten percent of historic depletions. No mitigation is required. This transfer was advertised and there are no protests. The watermaster does not oppose the transfer.

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.