

MEMORANDUM

Date: October 15, 2013

To: Transfer
78834

From: Blake Jordan

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for water rights 34-2425D and 34-13914. The applicant does not have access to the existing point of diversion described under her ground water rights and proposes to change the point of diversion and drill a new well on her property.

Authority to File:

The applicant is the current owner of water rights per IDWR record and owner of property where the proposed point of diversion will be drilled.

Water Right Validity:

Water rights were decreed in 2001 and 2002. Aerial photography shows that the water right place of use has not been irrigated in the last five years. Application confirms that water rights have not been used for a period of more than five consecutive years since 2002. Applicant included a statement that forfeiture does not apply because of circumstances beyond her control (Idaho Code Section 42-223). The applicant has never had access to the original point of diversion (ground water well) since the property was split in 1994. Applicant lives out of state and could not afford to develop a new well on the property until recently. Applicant is building a home on the property and will be able to irrigate the property from the new well. It appears that applicant's circumstance fits within Section 42-223(6).

Injury to Other Water Rights:

Inside the ESPA and within WD 34. The current point of diversion and proposed point of diversion are within the same ESPA model grid cell. No ESPA analysis is required. This transfer was advertised and there are no protests. Watermaster was notified about the transfer but did not provide comment.

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.