

MEMORANDUM

Date: August 13, 2013
To: Transfer 78610
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water rights 73-42(split into two parts in this transfer), 73-157, 73-158, 73-2102, 73-2142(portion), 73-2155, 73-7022, 73-12179 and 73-12180(portion). This transfer also proposes to change the point of diversion and add a point of diversion for water right 73-2142(portion). Big Creek Ranch is seeking to combine and consolidate several surface water rights and ground water rights into a common water delivery system for the irrigation of 951.2 acres. The points of diversion for the split portion of water right 73-2142 will be located in the NWSW of 14N, 22E, Section 17 and the NESW of 14N, 22E Section 21.

As a result of these surface water rights and ground water rights being consolidated onto lesser acres and to avoid a rate of diversion per acre enlargement a rate of diversion limitation was imposed on these water rights. When combined, these water rights are limited to 28.92 cfs and the irrigation of 951.2 acres.

The transfer application indicates that the total number of acres under the proposed place of use is 944.0 acres, which is in error. The total number of acres under the proposed place of use is 951.2 acres. The transfer approval document will reflect the correct total acres for the proposed place of use.

According to the transfer application, the applicant proposed to change the place of use for the stockwater portion of water right 73-42. The application did not include a land list for the proposed place of use. The applicants consultant was contacted about the matter. The consultant indicated the stockwater place of use is the same as the proposed place of use for irrigation. The transfer approval document will include an updated place of use for the stockwater portion of water right 73-42. Only a portion of water right 73-42 for irrigation is proposed to be changed through this transfer. As a result, water right 73-42 was split into 73-42 (unchanged portion) and 73-12234 (split portion). The new stockwater and irrigation place of use will be reflected under water right 73-12234.

Authority to File:

The applicant is the current owner of water rights 73-42, 73-157, 73-158, 73-2102, 73-2142, 73-2155, 73-7022 and 73-12179 per IDWR record. BLM is the current owner of water right 73-12180 per IDWR record. BLM provided a consent document which authorizes the applicant to transfer 34.6 acres off BLM property. The split portion of water right 73-12180 will remain in BLM's name. The applicant is the current owner of proposed place of use per Custer County taxlot data (updated 8/21/2013). Michael Page who is the manager of Big Creek Ranch LLC signed the application.

Water Right Validity:

Water rights were decreed no earlier than 2009. Forfeiture is not an issue.

Injury to Other Water Rights:

Surface water rights are within WD 73. Ground water rights are within future WD 170. The watermaster for WD 73 was notified about the transfer application but did not provide comment. The split portion of water right 73-2142 will now utilize two points of diversion. The current point of diversion and proposed points of diversion are all located on the applicants ranch. No injury issues identified.

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.