

MEMORANDUM

Date: May 22, 2013
To: Transfer
78579
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a portion of water rights 33-14928 and 33-14930. This transfer also proposes to change the place of use for water rights 35-8022, 35-14246, 35-14250 and 35-14257. The applicants are proposing to move a combined 3.4 acres from water rights 33-14928 and 33-14930, which are located near Howe, Idaho to land owned by the applicants near Blackfoot, Idaho. The 3.4 acres will be combined with water rights 35-8022, 35-14246, 35-14250 and 35-14257 to create a 190.7 acre place of use. The applicants will be utilizing an existing well.

Authority to File:

The applicants are the current owner of water rights 33-14928, 33-14930, 35-8022, 35-14246, 35-14257 per IDWR record. Merlin Smith (applicant) is the owner of water right 35-14250 per warranty deed. The ownership of right 35-14250 will be updated to show Merlin Smith as the current owner. The applicants are the current owner of the proposed place of use per Bingham County taxlot data (updated in 2012).

Water Right Validity:

Water rights were decreed either in 2000 or 2002. 2011 aerial photography shows land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

The proposed point of diversion is inside the ESPA and is within WD 120. According to the applicants ESPA analysis, there are no impacts greater than 2.0 acre-feet per trimester to any single ESPA reach. No additional mitigation is required. This transfer was advertised and there are no protests. The watermaster does not oppose 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.