

MEMORANDUM

Date: April 5, 2013

To: Transfer
78495

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to combine five water rights into a single permissible place of use due to a change in the irrigation system, which includes conversion from flood irrigation to sprinkler irrigation via four pivots. The applicant seeks to increase irrigation efficiency, thus enhancing stream flows for the benefit of ESA listed fish species. No other changes to these water rights are proposed and there are no other overlapping water rights.

Authority to File:

The applicant is the current water right owner of record on all five water rights, and county taxlot data confirms that the applicant is the owner of both the current and proposed place of use. An Idaho business entity search revealed that Tex Kauer is the president of the company and that he has authority to sign the application on behalf of the applicant.

Water Right Validity:

These rights were decreed in the SRBA in 2012. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the change. Neither the point of diversion nor the authorized diversion rate will change as a result of the transfer. Written comment was solicited from the watermaster of Water District 74-W in order to further assess the potential for injury. He did not oppose the approval of the application.

Enlargement of Use:

This transfer will not result in enlargement of use. The proposed place of use is simply being rearranged in the vicinity of the current place of use. The water rights included in this transfer contain combined acre limits which will be retained in order to prevent enlargement. The transfer proposes no change to the quantity of water diverted from Hawley Creek, but it is likely that less water will be diverted due to the change in irrigation system from flood to sprinkler irrigation. Neither rate nor acreage will increase as a result of the transfer.

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.