

MEMORANDUM

Date: February 11, 2013
To: Transfer
78373
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add points of diversion, change the point of diversion, change the place of use, and change the nature of use for a portion of water right 25-14383. Idaho Water Company has a purchase agreement with City of Chubbuck for .05 cfs, 16.0 acre-feet and 4.0 acres from water right 25-14383. As part of the agreement, Idaho Water Company is authorized to file this transfer to move 4.0 acres from water right 25-14383 to the City of Chubbuck's Municipal Service Boundary. The nature of use will change to municipal. The municipal use will be for the irrigation of 4.0 acres within the City of Chubbuck's Municipal Service Boundary and will be diverted through existing city wells.

Water rights 29-2385, 29-2413, 29-8229, 29-8230, 29-2469, 29-7624, 29-8188, 29-14016, 25-14381 and 25-14385 were added to the transfer as associated water rights. The conditions of approval for these associated water rights will be updated.

Authority to File:

The applicant is the current owner of water right 25-14383 per IDWR record. The applicant has a purchase agreement with the City of Chubbuck. As part of the purchase agreement, the applicant is authorized to file this transfer. An ownership change will be filed by the City of Chubbuck after the transfer is approved.

Water Right Validity:

Decreed in 2002. Water right 25-14383 was released from the Idaho Water Supply Bank on 12/31/2012 (filed under parent water right 35-14019). Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. Applicant submitted an ESPA analysis. According to the analysis no additional mitigation is required. The department concurs with the applicants analyses. 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.