

MEMORANDUM

TO: Transfer No. 77717
FROM: Kay Walker *Kay*
DATE: June 18, 2012
RE: Evaluation of Application

The transfer proposes to change the location of a point of diversion from a 10 acre tract location to a location within the same 40 acre tract.

The site is located approximately 7.5 miles southeast of Murphy Hot Springs on the south side of Three Creek Road, and 3.8 miles northwest of Three Creek.

Deviations from Transfer Policy Standards

These rights were decreed with 2 points of diversion described to 10-acre tracts and 1 point that was decreed to a 40-acre tract. The proposed point is described to a 40 acre tract. The points are identified by GIS shape files in arc map so describing them to 40 acre tract descriptions should not be an issue.

On the first page of the transfer form Rt. 51-10180 is listed as WR/Beneficial Use. This right was decreed in December of 2000 and has been migrated to the water rights data base.

Summary of Information Submitted

Authority to File:

The applicant is the right holder of record.

Water Right Validity:

Beneficial use confirmed by review of aerial photos dated 2004, 2006, 2009 and 2011. These photos are available through our Arc View program.

Injury to Other Water Rights:

There should be no injury to other water rights with the proposed change in point of diversion. There are no other water users in this area and no other diversions between the current point and the proposed points of diversion.

Enlargement of Use:

No enlargement should occur. No new irrigation is proposed under this transfer application.

Local Public Interest:

It is in the local public interest to allow water users to change their rights to a more efficient system.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Additional Information/Analysis

Watermaster comments would have been solicited; however, the Water District 51A is inactive at this time.

Data entry affected the correct records. These rights were decreed in January of 2000 and the records have been migrated and correct records attached to this transfer application.

There are no overlapping rights at the place of use. The only rights on this property are the 3 involved in this application for transfer.

In review of point of diversion overlaps I found the following information. The only right overlapping the point of diversion from Big Flat Creek in NWSW, S31, 15S, 11E, is an instream stockwater right also decreed to the applicant. Overlapping rights at the points of diversion from Big Flat Creek in SWSE, S25, 15S, 10E, and from Little Spring Creek in the NENW, S36, 15S, 10E are irrigation and stockwater rights decreed to the applicant. It is not easily determined if these rights are diverted from the points used to divert the rights involved in the transfer or if there are separate diversion points. Arc map tends to locate all the rights at the same points of diversion but the SRBA determination did not specify that the rights shared a point of diversion. The applicant is moving the point of diversion, on Little Spring Creek, to a point used to divert 51-4100 which is a right to store water for irrigation purposes.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.