

MEMORANDUM

TO: Transfer No. 75912
FROM: Kay Walker 
DATE: March 30, 2010
RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to move irrigation water from a developed tract to a piece of land that has not previously been irrigated.

The site is located west of Emmett Highway, east of Ada County line, north of Beacon Light Road and the Farmers Union Canal.

Contact person for the applicant is Lori Graves of SPF Water Engineering at 383-4140. The applicants have indicated that they would like to receive any original correspondence with copies to their representative.

Deviations from Transfer Policy Standards

The representative did not quantify why the submitted fee for this application was only \$250.00. In review of the proposal it was found that 0.45 cfs will be moved for 34 acres under Rt. 63-8376E and 0.15 cfs will be moved for 19 acres under Rt. 63-7131A (0.45 cfs and 0.15 cfs = 0.60 cfs which falls under the \$250.00 filing fee.)

There is no change to the points of diversion proposed.

Summary of Information Submitted

Authority to File:

Applicant is holder of each of these decreed rights. Applicant has attached a copy of the Covenants, Conditions and Restrictions of Hillsdale Estates to the application which discusses their authority to file this transfer.

Water Right Validity:

Right presumed to be valid because the partial decree was issued within the past five year period.

Injury to Other Water Rights:

There should be no injury to other water rights. The applicants are just relocating irrigated acreage from lands that have been subdivided to lands that were not previously irrigated.

Enlargement of Use:

No enlargement should occur.

Local Public Interest:

It is within the public interest to allow the property owners/developers to rearrange irrigated property.

Beneficial Use/Conservation of Water Resources:

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

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

Data entry affected the correct records which consist of the partial decrees issued on February 16, 2007.

SRBA status was finalized on February 16, 2007.

Overlapping rights at existing points of diversion and place of use consist of Rts. 63-3079, 63-7131A, and 63-8376E for irrigation purposes and Rts. 63-12125 and 63-31862 for domestic purposes.

An application to include Rt. 63-3079 in the Water Supply Bank is pending. Since the application has not been processed the overlap should be reviewed as usual.

Conditions on Rt. 63-3079 (pursuant to Transfer 4385) limits use of the Rts. 63-3079, 63-7131 and 63-8376, when combined, to the irrigation of 874.0 acres per year and 3933.0 af (4.5 afa). Conditions on Rts. 63-7131A and 63-8376E (pursuant to Transfer 5443) limits use of Rts. 63-3079, 63-7131A and 63-8376E to an annual diversion volume of 3883.5 af (4.5 afa) for irrigation purposes and a combined total of 863 acres in a single irrigation season. The conditions are a bit confusing but in researching the back files it appears they are necessary for future administration of these rights.

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.

Condition 046 is not applicable since a new well is not proposed.