

MEMORANDUM

TO: Transfer No. 77050 File

FROM: Angie Grimm

DATE: May 26, 2011

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add a new P/D to the following rights; 67-185B, 67-186B, 67-188, 67-189, 67-190, 67-4057, and 67-4058 and add an existing P/D that was not listed on the following rights; 67-188, 67-189, 67-190, and 67-4058 within the combined system.

The site is generally located south of the intersection of Hwy 71 and Hansen Ln and north of Hwy 71 approximately 1.25 miles west of Hansen Ln before the intersection of Hwy 71 and Horse Flat Rd 1 to 2 miles west of Cambridge.

Contact person for the applicant is **Lori Graves, SPF Water Engineering LLC**.

Summary of Information Submitted

Authority to File: The applicants are the owner of record for the rights proposed for transfer. ArcMap Washington Co taxlot data confirms as of 9/1/2010 the applicants still owned the property these water rights are appurtenant to. The owners of record have authority to change the rights.

Water Right Validity: Right presumed to be valid because the partial decrees were issued within the past five year period. Rights 67-185B, 67-186B, 67-188, 67-189, 67-190, and 67-4057 were decreed 12/11/2008. Right 67-4058 was decreed 10/20/2008.

Injury to Other Water Rights: The diversion rates authorized for each right and the total number of acres irrigated will not change as a result of this transfer. The applicant is proposing to add a new Pine Creek P/D to the system downstream from any of the existing P/Ds. The nearest downstream P/D to the proposed P/D is approximately 1,000 ft away and owned by a different owner for a different P/U. The rights are within Water District 67 and thus subject to regulation by the watermaster. Should this transfer be approved, the rights will be conditioned to allow for regulation by the watermaster thru requiring installation of measuring devices and lockable controlling works on the new P/D and the existing diversions. If the water right owner continues to divert at current rates within their water rights, there should be no injury.

Enlargement of Use: The diversion rate, volume, and number of acres irrigated will not increase as a result of this transfer. This system consists of the following rights with individual acre limits that total 124 acres of irrigation; 67-185B (66 ac), 67-186B (22 ac), 67-188(8 ac), 67-189 (19 ac), and 67-190 (9 ac). The system also includes rights 67-4057 and 67-4058 (referred to as flood water rights in data base comments, but have entire irrigation season as season of use

recorded) which have no individual limits. All of these rights share a common 169.3 acre P/U and are limited when used in combination to irrigation of the 169.3 acres. These rights are primary irrigation rights and will remain such should this transfer be approved. There are no tributaries between the existing P/Ds and the proposed new P/D. It is not likely the water supply at the new P/D is any different than that of the nearest upstream P/D on Pine Creek (P/D for the system proposed for transfer). No enlargement is likely to result should this transfer be approved.

Local Public Interest: Authorizing the applicant to use existing and new diversions to facilitate the installation of more efficient irrigation methods serves the local public interest.

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 water right records for rights 67-185B, 67-186B, 67-188, 67-189, 67-190, 67-4057, and 67-4058. These rights were decreed in the SRBA and the results were migrated prior to data entry of this transfer.

There are several water rights (67-187, 67-204, 67-14880, 67-14882, 67-14884, and 67-14903 thru 67-14908) that appear to share some of the existing P/Ds for the rights proposed for transfer per ArcMap P/D location information. However, these other rights have different P/Us and different owners. There are no other water rights that use the new P/D proposed. No changes are proposed to the P/U for this series of rights. All the water rights with the common P/U are proposed for transfer in this application. There are no other applicable overlapping rights.

The rights proposed for transfer are within Water District 67. The watermaster will receive a comment letter during advertising of this transfer application accordingly.

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.