

MEMORANDUM

TO: Water Right Files 36-2461A, 36-2554A, 36-16149, 36-16155, and 36-16838
FROM: Aaron Marshall
DATE: June 10, 2010
SUBJECT: Application for Transfer No. 76160

SUMMARY

Application for Transfer No. 76160 was submitted by Last Ranch LLC on November 17, 2009. Water right 36-16138 was split in advance of the transfer into water rights 36-16838 and 36-16839. The application for transfer proposes changes to the place of use authorized by water rights 36-2461A, 36-2554A, 36-16149, 36-16155, and 36-16838. The change would create a 640-acre permissible place of use with a 484.1-acre limit for all rights when combined. An amendment to the application was received on June 10, 2010, from the applicant's authorized agent, Charles E. Brockway. The amendment requests that all water rights involved in the transfer authorize the use of water from the same points of diversion within the combined system. In brief, the transfer proposes a common place of use and points of diversion for water rights 36-2461A, 36-2554A, 36-16149, 36-16155, and 36-16838.

AUTHORITY TO FILE

Texas Municipal Consortium Plan Consortium LLC ("Texas") is the water right holder of record. John Lezamiz signed the transfer application. Joseph P. Silveira is an authorized representative of Texas and provided consent for John Lezamiz to sign the transfer application on behalf of Texas.

WATER RIGHT VALIDITY

Aerial imagery indicates the water rights were used for the beneficial use authorized as recent as 2009. These rights are valid.

ENLARGEMENT OF USE

The transfer does not propose a change in nature of use. The rights will be used for the same beneficial purpose – irrigation. If the transfer is approved, the rights will be conditioned to ensure there will be no authorized enlargement of use. As described in the following table, all rights will have an individual acre limit and a total combined limit of 484.1 acres within the 640-acre permissible place of use.

Water Right No.	Diversion Rate	Annual Volume	Irrigation Acre Limit
36-2461A	3.48 cfs	984 af	246 acres
36-2554A	2.52 cfs	612 af	153 acres
36-16149	0.46 cfs	136 af	34 acres
36-16155	0.58 cfs	128 af	32 acres
36-16838	0.24 cfs	76.4 af	19.1 acres
COMBINED TOTAL	7.28 cfs	1,936.4 af	484.1 acres

INJURY TO OTHER WATER RIGHTS

Information available to the Department does not indicate that the proposed changes will injure other water rights.

BENEFICIAL USE AND CONSERVATION OF WATER RESOURCES IN IDAHO

The transfer application proposes changes that will use water for beneficial purposes and will remain consistent with the conservation of water resources in Idaho.

LOCAL PUBLIC INTEREST AND LOCAL ECONOMY

Information available to the Department does not indicate that the proposed changes will be inconsistent with the local public interest or adversely affect the local economy.

WATER DISTRICT

The water rights involved in the transfer are located within State Water District No. 130. Watermaster comments will be requested and considered prior to resolution of the transfer application.