

MEMORANDUM

TO: Transfer No. 76094

FROM: Sharla Curtis 

DATE: February 2, 2010

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add a second well to two water rights to provide flexibility and efficiency to the applicant's irrigation system. No other changes to the rights are proposed.

Summary of Information Submitted

Authority to File: Applicants are owners of record and are therefore authorized to file the transfer application.

Water Right Validity: Right 63-2849 presumed to be valid because the partial decree was issued within the past five year period (2/6/09). Right 63-10118 is presumed to be valid. SRBA is not applicable to this right developed after 1987. Recent beneficial use confirmed by 2006 and 2009 aerial photography.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement of use should occur. This transfer only adds a point of diversion; the diversion rates, volumes and number of acres remain the same.

Local Public Interest: Agricultural production ranks high in the local public interest within the state; therefore, the continued use of these rights for irrigation purposes appears to be in 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.

Data entry affected the correct records; partial decree for 63-2849 was issued & results were migrated to wr records prior to the transfer application being processed.

It appears that there may be surface water available to these lands per the overlap analysis report. However, nothing in the field exam for 63-10118 mentions anything about surface water and the right did not carry supplemental conditions when it was permitted or licensed, therefore, these rights will be treated as primary rights and standard overlap conditions will be applied.

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, including condition 046 since a new well is proposed.