

MEMORANDUM

TO: Exchange No. 75585 File, Water Right No. 67-238 & 67-240, Weiser Rv

FROM: Angela Grimm

DATE: May 4, 2009

RE: Evaluation of Sufficiency of Information Submitted

The exchange proposes to move the point of diversion for rights 67-238 and 67-240 from Camp Creek to the Weiser River.

The proposed point of diversion is located upstream of the confluence of Camp Creek and the Weiser River on the applicant's property southeast of the intersection of Salubria Rd and Highway 95 approximately ¼ mile south of Cambridge on the Weiser River.

Summary of Information Submitted

Authority to File: The applicants are the owners on record for the water rights proposed for exchange. The applicants have authority to change the rights.

Water Right Validity: The rights are presumed to be valid because the partial decrees were issued on 10/20/08 within the past five year period.

Injury to Other Water Rights: No injury should occur from the change in P/D. Applicants propose to divert the same amount of water previously diverted from Camp Creek from the Weiser River upstream of the confluence of the two, which should not injury other users provided enlargement of the rights does not occur.

Enlargement of Use: The applicant does not propose to enlarge the use. The applicants do not propose to increase the diversion rate, annual diversion volume or number of acres irrigated. To avoid enhancement in water supply, diversion at the proposed P/D shall be restricted to times when water is available and the water rights are in priority at the original P/D. Diversion of the rights is subject to watermaster regulation which will also assist in avoiding enlargement of the right. Standards call for the installation of a measuring device for diversion rate of more than 0.20 cfs within a water district.

Local Public Interest: Allowing the applicants to divert water for the rights from the Weiser River on their own property instead of from tributary Camp Creek on someone else's property should have no adverse impact to the local public interest or local economy.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use(s) consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-240 preventing processing of the application.

Discussion

The water right records proposed for change are 67-238 and 67-240. These rights were decreed in the SRBA on 10/20/08. Data entry for this transfer will act on the decreed right records for these rights.

The rights proposed for exchange are the only two rights for irrigation of the place of use from Camp Creek. No other water rights need to be involved in processing of this exchange.

The application was amended, by Donald Hobbs, to include right 63-240 during an office visit on 4/23/09. Addition of this right to the application increased the required fee for this application from \$100.00 to \$250.00. The applicants submitted the additional \$150.00 on 4/27/09 C088555.

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.