

MEMORANDUM

Date: May 22, 2008
To: Application for Exchange 74810 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application for Exchange proposes changing the source and point of diversion for right 72-10032 from a spring tributary to sinks along Challis Creek to a nearby unnamed stream tributary to sinks along Challis Creek. Right 72-10032 currently authorizes the diversion of 0.04 cfs from a spring located approximately 4.7 miles north and 4.8 miles west of the Highway 93 and Garden Creek Road intersection in Challis for the irrigation of 12 acres located approximately 4.6 – 4.8 miles north to 4.35 – 4.5 miles west of the Highway 93 and Garden Creek Road intersection in Challis. Right 72-16563 is also diverted from the current point of diversion of right 72-10032. The exchange is apparently being proposed to accomplish an agreement between the applicant and the owner of right 72-16563. Note that right 72-16563 is being treated as an associate right (condition deleted to reflect right 72-10032 no longer being diverted through same point of diversion) so the owner of right 72-16563 will receive notice of the approval. The application proposes changing right 72-10032 to allow for the diversion of 0.04 cfs from an unnamed stream (fed by a nearby spring) at a location approximately 4.8 miles north and 4.5 miles west of the Highway 93 and Garden Creek Road intersection in Challis. Note that the application identifies the new source as a “spring”, but the source is actually an unnamed stream (fed by a spring) as described by right 72-16559 (referenced in the application). The same 12 acres will be irrigated after the proposed change. The diversions and sources involved with the application are located within Water District 72A, which is located within Water District 170.

- **Authority to File:**
The applicant is listed as the current owner of the right involved with the exchange.
- **Water Right Validity:**
The right involved with the exchange was decreed in the SRBA during December of 2001. It appears that the right is valid.
- **Injury to Other Water Rights:**
None anticipated. The proposed change is downstream within the Challis Creek drainage.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water. The new diversion and source are closer to the place of use which should result in less conveyance loss and a more efficient use of the water.
- **Impacts to Local Economy:**
No issues anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-240 Idaho Code preventing processing of this application.