

MEMORANDUM

TO: Transfer No. 74599 File

FROM: Steve Lester 

DATE: March 10, 2008

RE: Evaluation of Sufficiency of Information Submitted

REQUEST TO EXPEDITE TO ADDRESS DELIVERY DITCH MAINTENANCE PROBLEMS FOR SHAREHOLDER

The transfer proposes to add two pumping P/D on Squaw Creek downstream from the existing headgate for ditch company rights. This is to help an older ditch member get water directly from the creek instead of relying on the ditch company delivery ditch.

The site is in Sweet.

Although there is not a contact person for the application, ditch member Mary Skippen received help from regional staff to complete most of the application for the applicant to sign. The proposed pumps are for her use. I will notify her by telephone if the application is approved.

Summary of Information Submitted

Authority to File: The applicant owns the rights being transferred and has authority to make the change.

Water Right Validity: The rights are presumed to be valid because partial decrees were issued in September 2004 within the past five year period.

Injury to Other Water Rights & Enlargement of Use: Injury and enlargement should not occur if an approval is properly conditioned.

Local Public Interest: The application serves the local public interest by maintaining the integrity of ditch company rights while upholding the local economy of the site.

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. § 42-222 preventing processing of the application.

Discussion

A reduced fee was paid for a 0.32 cfs change. Statewides ads are not needed even though one right exceeds 10 cfs because the proposed change is for a minor amount of water.

Watermaster comments will be obtained.

Partial Decrees need to be migrated in the database prior to completing data entry to make sure correct records are affected by the transfer.

Diversion under the applicant's main headgate must be reduced by the amount requested to be pumped from the creek to prevent injury and enlargement of use. New diversion points must remain subject to Watermaster control: require lockable shut-off valves prior to diversion and retain jurisdiction to require measuring devices for the pumps in the future as needed. Watermaster can effectively control pumping without necessarily having to measure flows - pumps will either be on or off, initial sprinkler gauge test can set flow parameters for Watermaster to monitor by noting number of sprinkler heads in use, a successful technique elsewhere in this water district.

Proposed P/Ds are on property owned by Skippen as confirmed by county tax lot information. Her work to help with this application verifies her consent for ditch company to establish diversions on her property.

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.

Unusual Conditions of Approval:

1. Modify Watermaster control conditions to require lockable control valves on new P/Ds prior to diversion but to require measuring devices only upon future notification by the Director.
2. Diversion from P/D in SESW Section 15 shall be reduced by an amount equal to diversion from the P/Ds in NENW Section 3.
3. Condition 004 about right-of-way re new P/Ds.