

MEMORANDUM

Date: October 21, 2004
To: Transfer 71587
From: amerritt
Re: sufficiency memo

The applicant has purchased the remaining portion of right 36-91A (36-16171) for transfer to land that he owns near Hagerman between the mouth of Billingsley Creek and Lower Salmon Falls Dam that has not previously been irrigated. The point of diversion for the new land is an existing diversion where other rights for irrigation and fish propagation are diverted.

Authority To File: The file contains a sales agreement and a bill of sale from Ellston to Sturdivant. Authority to file does not appear to be an issue.

Water Right Validity: The right was recently decreed in the SRBA, so forfeiture does not appear to be an issue. 36-16171 is the unchanged portion of right 36-90A after recently approved transfer 70597.

Injury To Other Rights: The proposed pod is about 2/3 mile downstream from the present POD. The transfer poses similar issues as previous transfer 70597. Note that transfer 70597 has been approved. The application indicates a pump will be used to convey the water to the new land through the applicants land but it is not clear if the land would be sprinkler irrigated or gravity irrigated. The new place of use is similar in nature to original place of use and would likely justify more than 1 inch per acre as decreed if gravity irrigation is the means of application.

Enlargement of Use: None requested. Water is being moved on an acre-for-acre basis. The right being transferred was decreed without restriction.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: The right as now used is for gravity irrigation. The new POU may or may not be irrigated with sprinkler. Conditions limiting use to 0.02 cfs per acre at the field headgate if the means of application are via sprinkler may be appropriate.

Review of the application finds there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C., preventing processing of this application. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.