

MEMORANDUM

Date: April 8, 2024
To: Transfer 88794
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for the Company's natural flow rights and to add two points of diversion, one on South Fork Hawkins Creek and the other near the end of Hawkins Creek.

Authority to File:

Department records show the applicant as the current owner of the rights proposed to be changed. The company is currently registered with the State of Idaho as a corporation in good standing. The transfer application was signed by a registered agent of the company.

Water Right Validity:

These rights were decreed in the SRBA in 2004 and were included in transfer 79138, which was approved in 2014. Post-decree aerial photography shows regular irrigation within the company boundary since the time the partial decree was filed. Forfeiture is not an issue.

Injury to Other Water Rights:

One of the proposed points of diversion is near the end of South Fork Hawkins Creek, just before its confluence with Hawkins Creek. The applicant has the most senior rights on Hawkins Creek. However, adding a point of diversion at the proposed location on the South Fork will not improve the applicant's position relative to other rights on the South Fork because the applicant's current point of diversion is located downstream of the confluence.

It appeared that water right 29-11465 might be impacted by the addition of the lower point of diversion, which is just downstream of the 29-11465 diversion. However, the owner of 29-11465 provided written support for approval of the transfer. There is no other indication that the proposed changes will reduce the quantity of water available to other water rights.

Enlargement of Use:

This transfer will not result in enlargement of use. The rate, volume and number of acres authorized for irrigation under these rights will not increase.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.