

MEMORANDUM

Date: May 20, 2022
To: Transfer 86043
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and change the place of use for a 10-acre portion of water rights 35-7324 and 35-7536. This transfer also proposes to change the place of use for water rights 35-13866 and 35-13872. The applicants have installed some mini pivots in pivot corners and have filled in rock piles that need to be covered with a water right. To cover these acres with a water right the applicants propose to transfer 10-acres from water rights 35-7324 and 35-7536 and combine them with water rights 35-13866 and 35-13872 to create a 368.0 acre combined place of use. The 10.0-acres are coming from pivot corners. The applicants will utilize an existing well associated with WMIS # 200749.

Authority to File:

The applicants are the current owners of water rights per IDWR record and owner of the property at the proposed point of diversion and proposed place of use per Jefferson County taxlot data. Kirt and Kaelyne Schwieder signed the application.

Water Right Validity:

Water rights were decreed in 2002 through the SRBA. The applicants seek to cover land that is being irrigated without a water right. Mini pivots in pivot corners were installed in 2021. Over the past several years rock piles have been filled in, farmed, and then irrigated with no water rights. Aerial photography along with water measurement records show that the water rights have been fully utilized on the applicant's contiguous farmland. Forfeiture is not an issue.

Injury to Other Water Rights:

Water rights are within the ESPA GWMA and are regulated by Water District 120. Points of diversion are in adjacent ESPA model cells. No ESPA analysis required. The application was advertised and there are no protests. The watermaster does not oppose the application. No injury issues identified.

Enlargement of Use:

No issues.

Local Public interest:

No issues.

Beneficial Use/Conservation of Water Resources:

No issues.

Effect on Economy the Local Area:

No issues.

Effect on Agricultural Base of the Local Area:

No issues.

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.