

MEMORANDUM

Date: February 17, 2022
To: Transfer 85834
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the points of diversion and change the place of use for water rights 35-7161A, 35-7162A, 35-7977B, 35-8046, 35-8050, and 35-9036. The current points of diversion listed on these water rights are incorrectly described and the applicants seek to correct the discrepancy. The points of diversion that are currently used are located in the SWNW, Section 13, and SWNE, Section 14, 07S, 29E. The applicants are irrigating land that is not conforming to their water rights. The applicants seek to change the place of use to cover the land irrigated without a water right. These water rights will be combined to create a 574.2 acre place of use.

Authority to File:

The applicants are the current owners of the water rights per IDWR record and owner of the property at the proposed points of diversion and proposed place of use per Power County taxlot data. Larry and Monica Bethke signed the application.

Water Right Validity:

Water rights 35-7161A, 35-7162A, and 35-7977B were decreed in 2002. Water rights 35-8046, 35-8050, and 35-9036 are trust water rights that were licensed in 1997. Water rights 35-8046 and 35-8050 carry trust water conditions. Water right 35-9036 does not carry a trust water condition. Trust water conditions will be placed on water right 35-9036 through this transfer.

Injury to Other Water Rights:

These water rights are located inside the ESPA and are regulated by WD 120. According to the ESPA analysis there are no impacts greater than 2 af/trimester at any ESPA reaches. This transfer was advertised and there are no protests. The Water District 120 watermaster does not oppose the application.

Enlargement of Use:

No issues identified.

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.