

MEMORANDUM

Date: October 8, 2021
To: Transfer 85356
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer application proposes to change the place of use for water rights 29-480, 29-2144, 29-2509, 29-7272, 29-7948, 29-7949, 29-10893, 29-13215, and 29-13522 to better reflect current irrigation practices. The place of use change will create a combined place of use for all the water rights. No change to the points of diversion is taking place. Water is diverted from Rattlesnake Creek, Clifton Creek, and Ground Water. Ground water right 29-2509 is injected into and re-diverted from Rattlesnake Creek, whereas ground water rights 29-7949 and 29-7272 are injected into Clifton Creek and re-diverted from Rattlesnake Creek. The interconnection of the creeks and mainline systems makes an overall combined use ideal for management of the water rights.

Authority to File:

The applicants are the current owner of water rights per IDWR record and owners of the property at the proposed place of use per Power County tax lot data (updated 4/29/2020).

Water Right Validity:

Water right number 29-7949 was decreed on 5/14/2003, water right numbers 29-7272, 29-2509, 29-13522, 29-13215, 29-10893, 29-7948, and 29-2144 were decreed on 3/22/2004, and water right number 29-480 was decreed on 4/3/2006. In review of aerial photography available to the department there is no clear and convincing evidence showing forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

These water rights exist on the conjoining part of Clifton Creek and Rattlesnake Creek. In review of water rights on Clifton and Rattlesnake Creek, these water rights are the last rights diverted with their source being Clifton or Rattlesnake Creek. Furthermore, the transfer does not propose any change to points of diversion and does not propose any change to the amount of water allocated under the water rights. The Water Master does not oppose this transfer. This transfer will be processed with no advertisement.

Enlargement of Use:

The approval of this transfer will not result in an enlargement of a water right.

Local Public interest:

No issues have been identified.

Beneficial Use/Conservation of Water Resources:

No issues have been identified.

Effect on Economy the Local Area:

No issues have been identified.

Effect on Agricultural Base of the Local Area:

No issues have been 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.