

MEMORANDUM

Date: September 9, 2021
To: Transfer 85085
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change place of use for water rights 32-25 and 32-43 from Medicine Lodge Creek. A portion of the existing place of use for water rights 32-25 and 32-43 may be sold in the future and the applicants seek to move the water rights from that land. The total number of acres being changes is 14. Currently the 14 acres are flood irrigated. These 14 acres are being moved approximately two miles to the north and will continue to be flood irrigated. The place of use for the stockwater portion of rights 32-25 and 32-43 will also change to match the irrigation place of use. The points of diversion will remain the same.

Authority to File:

The applicants are the current owners of the water rights per IDWR record. Angielen LLC (Brion Egan, member) is the owner of the property at the existing place of use and proposed place of use. A portion of the existing place of use overlaps property now owned by DJ and Katie Egan. DJ and Katie provided a letter relinquishing any ownership of water rights 32-25 and 32-43. They also consent to the transfer application.

Water Right Validity:

Water rights were decreed in the SRBA in 2000. Aerial photography available to IDWR shows consistent irrigation of the place of use. The 14 acres being rearranged are flood irrigated when the rights are fully satisfied. In other words, the 14 acres are irrigated when there is sufficient water available in Medicine Lode Creek. Once the flow in the creek declines and in drought years, there is not sufficient water to irrigate the entire place of use described by the rights. 2018 Climate engine (04/01-06/30) shows the 14 acres having a NDVI index of approximately 0.58. 2021(drought year) Climate engine (04/01-06/30) shows the 14 acres having a NDVI index of 0.31. The Department does not have clear and convincing evidence that forfeiture has occurred.

Injury to Other Water Rights:

These water rights are regulated by WD 32C. No injury issues identified. Points of diversion are not changing. This transfer will be processed with no advertisement. The watermaster does not oppose the transfer application.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.