

MEMORANDUM

Date: August 19, 2021
To: Transfer 85002
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change point(s) of diversion and add point(s) of diversion to water rights 31-11230, 31-11231, 31-2350, 31-2362 and 31-7301. As a result of this transfer, the three points of diversion currently associated with these five rights will be relocated, and all five rights will have the same three shared points of diversion. Right 31-7301 was not assigned a place of use land list or shape during the SRBA, or at any point prior to being licensed 9/20/1983; the POU description was "Within the Camas National Wildlife Refuge". Additionally, right 31-7301 is the only one of these five rights that did not have an acre limit. The rights in this transfer along with an additional 19 water rights have a combined limit of 5,231 acres within the Camas National Wildlife Refuge. Aside from right 31-2251, which has a unique 109.9 acre POU for Irrigation, the rights comprising the combined limit area are for Wildlife use. The beneficial use for the transferred rights is Wildlife, so the specific acres per quarter-quarter of the POU are not identified. As a result of these findings, an acre limit of 5,231 acres was added to right 31-7301, and a land list and shape of ~7,500 acres was created to agree with the other rights making up the 5,231 acre combined limit.

Authority to File:

The transfer applicant is U.S. Fish and Wildlife Service, which is the land owner per Jefferson County parcel data and the water right owner per IDWR records. The original application was submitted by Brian Wehausen, Refuge Manager, but the application was not signed. An amended application was signed and submitted by Mary Lindenberg, Hydrologist & acting Water Resources Branch Chief for U.S. Fish and Wildlife Service.

Water Right Validity:

All five rights being transferred were decreed 2/22/2002. The three wells currently associated with these rights have WMIS diversion records demonstrating use in 2019. Because these rights are not used for typical irrigation practices, the application area could not be confirmed; however, there is no clear indication these rights have been forfeited due to non-use. No issues identified.

Injury to Other Water Rights:

The proposed point of diversion in Sec 13 T07N R35E is located ~1000 feet from an existing irrigation well; however, given the high productivity of the aquifer in this area, it did not raise concerns of injury. The other two proposed diversions are not near any existing production wells. Results from ETRAN modeling provided with the application indicated no mitigation requirements. The application was advertised statewide, and was not protested. The watermaster did not oppose approval of this application. No issues of injury identified.

Enlargement of Use:

This transfer does not result in a change to diversion rate, total volume or total area of use. No issues of enlargement 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.