

MEMORANDUM

Date: May 28, 2021
To: Transfer 84863
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to split surface water right 1-7017 and move 4.6 acres to a new place of use and new point of diversion at the Jefferson Greens Estates HOA. Rights 1-7017 and 35-7720 share a combined place of use and companion Transfer 84864 addresses the change to the ground water right. Right 1-7017 has a junior priority date of 1978, which is seldom available for diversion during the irrigation season. Therefore the remaining portion of right 1-7017 is being altered as follows:

- 0.62 cfs will be leased through the Water Supply Bank, Pending Contract # 1377
- 0.03 cfs will be abandoned upon approval of Transfer 84808
- 0.08 cfs will be abandoned upon approval of Transfer 84782

The transfer was amended by the applicant on May 24 to redistribute 0.7 acres within Sec 8 of T04N R39E. Irrigated acres were removed from Lots 2 & 3, Block 1 and placed on Lots 9 & 17, Block 2. Authorization from the property owners was provided. Re-advertising will not be necessary.

Authority to File:

Rocky Mountain Water Exchange is the applicant and has authority to file. According to the Department's database right 1-7017 is currently owned by PT Elliott LLC whose listed agent is Carl Zitlau. An Option Agreement for Purchase and Sale of Water Rights, signed by Mr. Zitlau, authorizes Rocky Mountain Water Exchange to file this application. The post transfer place of use are 11 lots within the Jefferson Greens Estates HOA. Each of these entities consent to the placement of water on their land via Agreements for Purchase and Sale of Water Rights. The post-transfer point of diversion is owned by North Rigby Canal Company, who previously agreed to the diversion in a verbal conversation for transfer 83915 approved October 30, 2020. Transfer 83915 moved a 17.8 acre portion of right 1-7017 to the Jefferson Greens Estates HOA. Sale of this water right portion is contingent upon this transfer's approval. After the sale is complete, ownership will be updated.

Water Right Validity:

Right 1-7017 was decreed in 2007. Review of vegetation indices from 2008 through 2018 indicate application of water in the current place of use. The right was leased through the Water Supply Blank in 2019 and 2020. Forfeiture is not an issue.

Injury to Other Water Rights:

No water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. The watermaster of WD 1 has been notified of the proposed changes and has not provided comment.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:
No issues identified.

Effect on Economy of 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 this application.