

MEMORANDUM

Date: March 16, 2021
To: Transfer 84683
From: Mackenzie Fahlgren
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion, the place of use and to clean up the map shapes to reflect current irrigation practices for water rights: 35-7009, 35-7157, 35-13867, 35-13869, 35-13873, 35-13875, 35-14130, 35-13865, 35-14131 and 7.8 acres of 35-13870. These changes are being done in response to pending notice of violation (E2020-1630) which occurred when the owner added two new mini pivots. The majority of the affected rights are only being minimally altered to reflect the true shape of the irrigated land, however rights 35-14131 and 35-13870 (split, now 35-14732) to reflect the current infrastructure.

Because right 35-14131 (10.2 Acres) is smaller than the total number of acres being moved from the stacked rights 35-13870 and 35-14131 (a total of 18 acres being moved) the entirety of water right 35-14131 and a proportionate piece of 35-13870 was transferred; rather than taking proportionate pieces of each right.

Authority to File:

The applicants are the current property owners of all affected water rights, and they have submitted deeds prior to the transfer application as evidence of ownership. Jefferson County tax lot data confirms that all of the acres are owned by the applicants.

Water Right Validity:

The water rights were all decreed in the SRBA in 2002. Review of 2017, 2011 and 2006 aerial photography shows growing vegetation on the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed change. The applicants are proposing a point of diversion change for the 18-acre portion, which sits on their property. The authorized quantity to be diverted will not be changed. The point of diversion change is within adjacent ESPA model cells, so no model simulation for mitigation is required. The transfer was advertised and no protests were filed. The water master does not oppose this transfer.

Enlargement of Use:

The proposed change will not result in enlargement because neither the rate, volume nor irrigated acres will increase as a result of this transfer. The rights involved will be split proportionately to acreage transferred.

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.