

MEMORANDUM

Date: December 11, 2020
To: Transfer 84563
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

The transfer proposes to change the place of use for water rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 to accurately represent lands currently being irrigated. 42 acres of water rights previously irrigated by endguns will be moved to cover two mini pivots.

Zweifel Properties LLC and Birch Creek Ranches LLC have performed a land swap so that Zweifel Properties gains ownership of a portion of SENW, Section 33, T09N, R33E where land is irrigated by one of the new mini pivots. A recorded warranty deed has been included in the application (Attachment 10).

Authority to File:

The applicant is the current owner of water rights per IDWR record and owner of the property at the proposed point of diversion and proposed place of use per Clark County taxlot data (updated 11/21/2019). Clark County taxlot data has not been updated recently enough to show ownership of 6.357 acres in the SENW, Section 33, T09N, R33E had been conveyed to Zweifel Prosperities LLC from Birch Creek Ranches LLC.

Water Right Validity:

These water rights were decreed on 10/27/2000. In review of aerial photography and water measurement records 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 are within the ESPA and regulated by WD 110. The watermaster does not oppose the application. 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.

Local Public Interest:

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.