

MEMORANDUM

Date: January 29, 2020
To: Transfer 83781
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and change the place of use for a 46.7 acre portion of water right 35-7914. The applicant also filed transfer 83782 which proposes to change the point of diversion, add a point of diversion and change the place of use for a 46.7 acre portion of water right 35-14240. The applicant is seeking to rearrange portions (46.7 acres) of water rights 35-7914 and 35-14240 in attempt to create better water management on their farm. These two transfers will swap point of diversion and place of use locations for the 46.7 acre portions of water rights 35-7914 and 35-14240. Existing ground water wells will be utilized.

Water right 35-7973 was added to this transfer as an associated water right. A combined rate of diversion limitation condition is needed to avoid an enlargement.

Authority to File:

The applicant is the current owner of water rights per IDWR record and owner of property at the proposed point of diversion and proposed place of use per Power County taxlot data. Greg Sullivan who is the applicant's representative signed the application (see limited POA doc.).

Water Right Validity:

Water right was decreed in 2002. 2019 satellite imagery shows the land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Water right is located within the ESPA model boundary and will be regulated by WD 120. Points of diversion are within adjacent ESPA model cells. ESPA analysis not required, This transfer was advertised and there are no protests.

Enlargement of Use:

The points of diversion involved in transfer 83781 and 83782 are utilized by newly licensed water rights 35-14240 and 35-14241(associated water right). These water right licenses contain a combined rate of diversion limitation which includes water rights 35-7973 (associated right) and 35-7914. Water rights 35-7914 and 35-7973 did not contain any rate of diversion limitations prior to issuing licenses for water rights 35-14240 and 35-14241. To avoid an enlargement of water rights 35-14240 and 35-14241, rate of diversion limitations were added to the water rights involved in transfer 83781 and transfer 83782.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy 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 of this application.