

MEMORANDUM

Date: April 6, 2020
To: Transfer 83990
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange the place of use for water rights 21-13101 and 21-13099. This transfer was filed to cover land being irrigated outside the place of use boundary under rights 21-13099 and 21-13101. The rearrangement will reflect what is currently being irrigated under the irrigation system. No change is proposed for the point of diversion.

Approximately one acre of the land being irrigated without a water right is owned by the BLM. This transfer does not seek to cover the one acre of land. The applicants will be working with BLM to resolve property ownership issue first and then will address the one acre.

Authority to File:

Robert and Louise Hansen are the current owners of the water rights according to IDWR records. Robert Hansen is the current owner of the property at the proposed place of use per Jefferson County Tax Lot data (updated 8/9/2019).

Water Right Validity:

Water Rights 21-13101 and 21-13099 were decreed on December 10, 2007. Review of aerial photography available to the department showed no clear and convincing evidence that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

Water rights are within the ESPA and are regulated by WD 100. This transfer only proposes to rearrange the place of use. No ESPA impact analysis is required. This transfer will be processed without advertisement. The water master does not oppose this transfer.

Enlargement of Use:

The approval of this transfer will not result in an enlargement of water rights.

Local Public interest:

No issue has been identified.

Beneficial Use/Conservation of Water Resources:

No issue has been identified.

Effect on Economy the Local Area:

No issue has been identified.

Effect on Agricultural Base of the Local Area:

No issue has 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.