

MEMORANDUM

Date: March 5, 2019
To: Transfer 83041
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange the place of use for water right 31-2427B. The applicants seek cover approximately 12 acres being irrigated outside the current place of use boundary under water right 31-2427B.

This is one of three transfers filed simultaneously by the applicants seeking to change portions of water right 31-2427B. Transfer 83040 changes the point of diversion, adds a point of diversion, and changes the place of use for an 11-acre portion of water right 31-2427B. This transfer (83041) changes the place of use for the remaining portion of water right 31-2427B (285.0 acres) to reflect the acres currently irrigated under the right. Transfer 83039 will change the point of diversion for a 10-acre portion of water right 31-2427B.

Authority to File:

Kirk and Linda Jacobs are the current owners of the water rights per IDWR record. The applicants are also the current owners of the land per Jefferson County tax lot data.

Water Right Validity:

Water right 31-2427B was decreed in 2002. 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:

These water rights are within the ESPA and regulated by WD 110. No advertisement is necessary pursuant to Section 42-222 of Idaho Code. The place of use change proposed in this transfer will not change the effect on the original or hydraulically connected water source or affect other water rights.

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.

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.