

MEMORANDUM

Date: June 24, 2019
To: Transfer 83043
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion, add points of diversion and change the place of use for water rights 31-2427A (12.0 acre portion) and 31-2429. The applicant seeks to move 12.0 acres that were historically irrigated under end guns to land being irrigated without a water right. Rights 31-2427A (12.0 acres) and 31-2429 will be combined into a 430.0 acre place of use. Through this transfer the applicant also seeks to add an existing second well being used to irrigate land under the proposed place of use. The second well located in the SESE, Section 34, 08N, 36E will be limited to 3.78 cfs,

Authority to File:

The applicant is the current owner of water rights per IDWR record and owner of the property at the proposed points of diversion and proposed place of use per Jefferson County parcel information. Kirk Jacobs and Linda Jacobs who are the owners of Jacobs Land LLC signed the application.

Water Right Validity:

Water right 31-2427A was decreed in 2002 and water right 31-2429 was decreed in 2003. Water right 31-2427A authorizes the irrigation of 296.0 acres and water right 31-2429 authorizes the irrigation of 418.0 acres. The combined authorized irrigated acres is 714.0 acres. Aerial photography from 1992-2017 shows at least 714.0 acres being irrigated. There is no clear and convincing evidence of forfeiture. Thus forfeiture is not an issue.

Injury to Other Water Rights:

These water rights are regulated by WD 110 and are within the ESPA ground water model boundary. The current and proposed points of diversion are within adjacent ESPA model cells. No ESPA analysis required. The water master does not oppose the application. This transfer was advertised and protested. A pre-hearing conference was held and the protestants concerns were resolved. The protests were withdrawn.

Enlargement of Use:

No Enlargement issues.

Local Public interest:

No concerns.

Beneficial Use/Conservation of Water Resources:

No issues.

Effect on Economy the Local Area:

No issues.

Effect on Agricultural Base of the Local Area:

No issues.

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.