

MEMORANDUM

Date: Feb 1, 2019
To: Transfer 82076
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to combine a 167-acre portion of water right 29-2565 with water right 29-14242 to create a 258-acre combined place of use. Water right 29-2565 currently authorizes 250 irrigated acres, consistent with a 2018 Water Right Allocation Agreement, settling the ownership of four water rights decreed in the name of Dale Bolingbroke, including water right 29-2565. Transfers 82076, 82369 and 82437 split water right 29-2565 into three pieces and changes the places of use and points of diversion for all three pieces.

Authority to File: Jacob Andersen Farm is the owner of record for water right 29-2565. Transfer application was filed by Kinport Management, which is an assumed business name for Jacob Andersen Farm LLC. Amended application was signed by Jacob Andersen Farm's attorney, TJ Budge. Jacob Andersen Farm LLC owns the property at the proposed place of use.

Water Right Validity: The SRBA Court issued an amended partial decree for water right 29-2565 in 2014. It remains a valid water right.

Injury to Other Water Rights: No injury issues identified. Existing and proposed points of diversion are located outside of the ESPA model boundary. Watermaster of Water District 290 was notified of the transfer and did not provide comment. Transfer was protested. Protests were resolved through a private agreement.

Enlargement of Use: No issues identified. Water rights 29-477, 29-2565, 29-10857 and 29-13234, decreed in the name of Dale Bolingbroke, were limited to 409 irrigated acres. Transfers 82293, 82309, 82076, 82369 and 82437 update the split portions of all of those four rights. The five transfers will not exceed the 409 acre limit. Water right 29-2565 is extremely light on diversion rate per acre. The portion of 29-2565 involved in this transfer authorizes 0.54 cfs for the irrigation of 167 (0.003 cfs/acre). Once approved, water right 29-14242 and the split portion of 29-2565 will allow a combined diversion rate of 1.94 cfs (870 gpm). This is likely only sufficient to operate one pivot at a time. To prevent enlargement of diversion rate, the system must be equipped with a flow meter prior to diversion.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: 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.