

MEMORANDUM

Date: September 5, 2018
To: Transfer 82596
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for right 34-14020. The point of diversion will move from the Longhurst Ditch to a pump station on a back channel of the Big Lost River.

Authority to File:

The applicant, Lita W. West, is the current owner of record for the water right. According to Custer County taxlot data, Lita W. West Living Trust owns the land at the existing place of use for water right 34-14020 and the proposed point of diversion.

Water Right Validity:

The water right is valid for transfer. The right was decreed in 2001. The West property was part of a larger contiguous ranch owned by Herb Whitworth. In 2005, Whitworth sold a portion of the ranch to West, but Whitworth continued to farm the property through a rental agreement to the present day. Whitworth continued to operate the property as a single ranch. Water right 34-14020 has a junior priority date and is rarely available for diversion. The applicant provided an affidavit from Whitworth explaining that the limited amount of water available to the ranch under water right 34-14020 was used to irrigate other areas of the ranch. Forfeiture is not an issue.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. The Watermaster for Water District 34 was notified of the transfer and did not comment. The pre-transfer point of diversion was the Longhurst Canal. According to Department records, the Longhurst Canal had two other users, Herb Whitworth, Jr and HCRSD, LLC. Both were provided with direct notice of the transfer and neither notified the Department of any concerns.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Neither rate or irrigated acres are authorized to increase.

Local Public Interest / 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.