

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED # 820

FEB 25 2016

WATER RESOURCES WESTERN DIVISION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) SCHWENKFELDER RANCHES INC. - ROYCE A. Phone 208-251-3591
SCHWENKFELDER - TRS RANCHES LLC
 2. MAILING ADDRESS 3315 SCHWENKFELDER RD. City CAMBRIDGE
 State ID 440 Zip 83610 Email rschwenk@ctcweb.net

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 67-477B, 67-478, 67-4297, 67-4595 & 67-14505.

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 4.67 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: A WATER METER IS IN PROCESS OF BEING ADDED FOR THIS SYSTEM. TWO PUMPS ARE LOCATED AT THE POINT OF DIVERSION. A 30hp pump serves

4 wheel lines (119 sprinklers) and A 50hp pump serves 4 pivot and 40 handline pipes (40 sprinklers)

- b. Who owns the property at the point(s) of diversion? ROYCE SCHWENKELDER
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. MAP – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The [Map Tool](#), available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Royce A. Schwenkelder for: Schwenkelder Ranches, LLC. (President)
Royce + Pam Schwenkelder 2/19/2016
Signature of applicant or authorized agent Print name and title if applicable Date

X [Signature] IRS Ranches LLC 2/19/2016
Signature of applicant or authorized agent Print name and title if applicable Date

9. FEE – ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, [Water Right Transfers, Step 4](#) and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes 7 pages of attachments. Received by [Signature] Date 2/25/16
Fee paid \$820⁰⁰ Date 2/25/16 Received by [Signature] Receipt # W043918
Preliminary review by P. Kelly Date 3-15-2016 Active in the Water Supply Bank? Yes ☐ No ☒
W-9 received? Yes ☐ No ☒ Name on W-9 X W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 – confidential information is held by fiscal only)

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

2/17/2016

Water Right 67-478

Owner Type **Name and Address**
Current Owner SCHWENKFELDER RANCHES INC
3315 SCHWENDFELDER RD
CAMBRIDGE, ID 83610
(208)257-3591

Current Owner ROYCE A SCHWENKFELDER
3315 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
(208) 550-2200

Priority Date: 5/1/1892

Basis: Decreed

Status: Active

Source **Tributary**
LITTLE WEISER RIVER WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.980 CFS	
	<u>Total Diversion</u>		0.980 CFS	

Source and Point(s) of Diversion

LITTLE WEISER RIVER NENESW Sec. 1, Twp 14N, Rge 02W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	15			27.0	36.0													63.0
14N	02W	16														20.0			20.0

POU Total Acres: 83.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E51 Right Nos. 67-478 and 67-7485 are limited to a total combined diversion rate of 1.66 cfs.
3. E55 Right Nos. 67-478 and 67-7485 are limited to the irrigation of a combined total of 83 acres in a single irrigation season.
4. E62 This right when combined with 67-7485 shall provide no more than .02 cfs per acre.

Comments:

1. mcase 7/29/2004 POD

2/17/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROYCE A SCHWENKFELDER 3315 SCHWENKFELDER RD CAMBRIDGE, ID 83610 (208) 550-2200

Status: Active

Tributary
WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.800 CFS	
	Total Diversion		0.800 CFS	

LITTLE WEISER RIVER SENESW Sec. 1, Twp 14N, Rge 02W, ADAMS County

IRRIGATION within WASHINGTON County

[illegible]

POU Total Acres: 40.0

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

1.	mvanbussum	12/4/2006	Priority Date and Disallow
Craig Saxton spoke with Royce Schwenkfelder on 9-14-2005 and discussed evidence of priority. Mr. Schwenkfelder was also sent the B67 2005 mass mailing asking for evidence of priority. No evidence of priority was submitted. Recommend as disallowed.			

2. csaxton 12/14/2006 NOE
Recommendation amended through the NOE process. Recommend priority date of one day after the licensing FE for LWID

Decreed Date: 10/20/2008

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/17/2016

Water Right 67-4297

Owner Type **Name and Address**
Current Owner J R S RANCHES LLC
3315 SCHWENFELDER RD
CAMBRIDGE, ID 83610

Priority Date: 5/4/1940

Basis: Decreed

Status: Active

Source **Tributary**
LITTLE WEISER RIVER WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	10/31	0.970 CFS	
	Total Diversion		0.970 CFS	

Source and Point(s) of Diversion

LITTLE WEISER RIVER NESW Sec. 1, Twp 14N, Rge 02W, ADAMS County

Place Of Use

IRRIGATION within WASHINGTON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	16									35.0	28.0							63.0

POU Total Acres: 63.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 67-4297 and 67-14505 are limited to the irrigation of a combined total of 63.0 acres in a single irrigation season.

Comments:

1. csaxton 11/1/2006 Priority
This claims overlaps with Little Weiser Irrigation District (LWID) license 67-2385. Licensing field exam that confirms existence of the ditch system to irrigate the claimed POU was conducted on May 3, 1940. Without further Evidence, recommend one day after the licensing field exam was conducted or May 4, 1940.

2. csaxton 11/1/2006 Diversion Rate
The diversion rate recommended under this right brings use of this right and 67-14505 up to one inch per acre when used in combination.

3. csaxton 11/1/2006 From Claim (1)

2/17/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J R S RANCHES LLC 3315 SCHWENFELDER RD CAMBRIDGE, ID 83610

Status: Active

Tributary
WEISER RIVER

LITTLE WEISER RIVER NESW Sec. 1, Twp 14N, Rge 02W, ADAMS County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	02W	16									35.0	28.0							63.0

POU Total Acres: 63.0

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	X02	Stockwater use is for 50 range cattle.
3.	E55	Right Nos. 67-4297 and 67-14505 are limited to the irrigation of a combined total of 63.0 acres in a single irrigation season.
4.	K06	This right is limited to the irrigation of 23.6 acres within the place of use described above in a single irrigation season.
5.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

80715

2/17/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROYCE A SCHWENKFELDER 3315 SCHWENKFELDER RD CAMBRIDGE, ID 83610 (208) 550-2200

Status: Active

Tributary
WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	1.620 CFS	
	Total Diversion		1.620 CFS	

LITTLE WEISER RIVER NWNWNW Sec. 16, Twp 14N, Rge 02W, WASHINGTON County

[illegible]

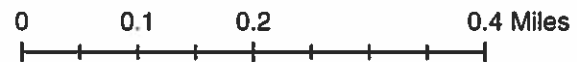
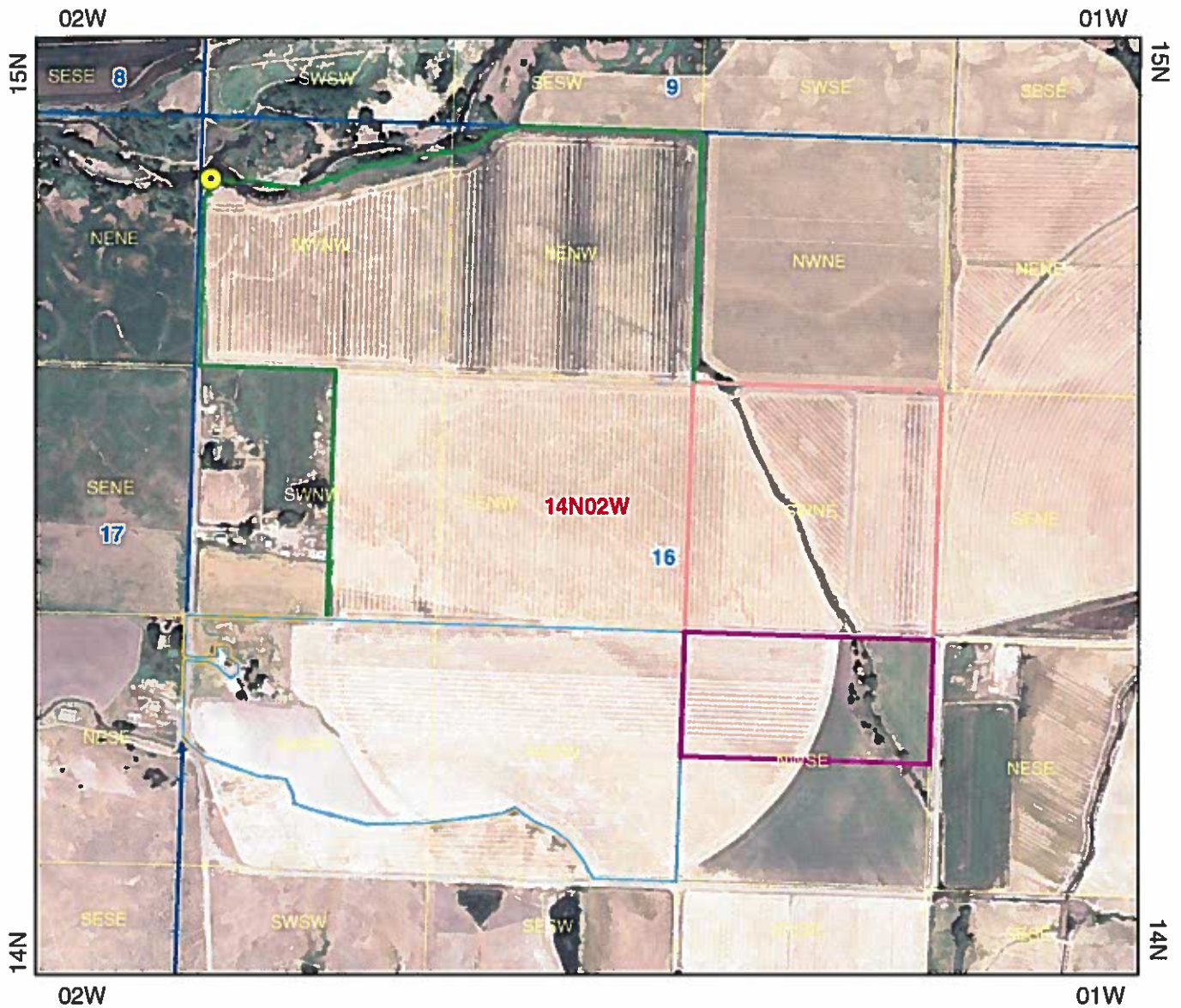
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

1. mcase 7/29/2004 POD
POD shape created using claim map. Decreed for Schwenkfelder Ditch, claimed pump in river.

2. mcase 7/29/2004 Quantity
Parent right decreed for 2.42 cfs. Splits claimed a total of 2.75 cfs. This right claimed 1.94 cfs. for the irrigation of 155 acres.

3. csaxton 11/1/2006 POU
POU recommended only in the QQs that it was decreed in.

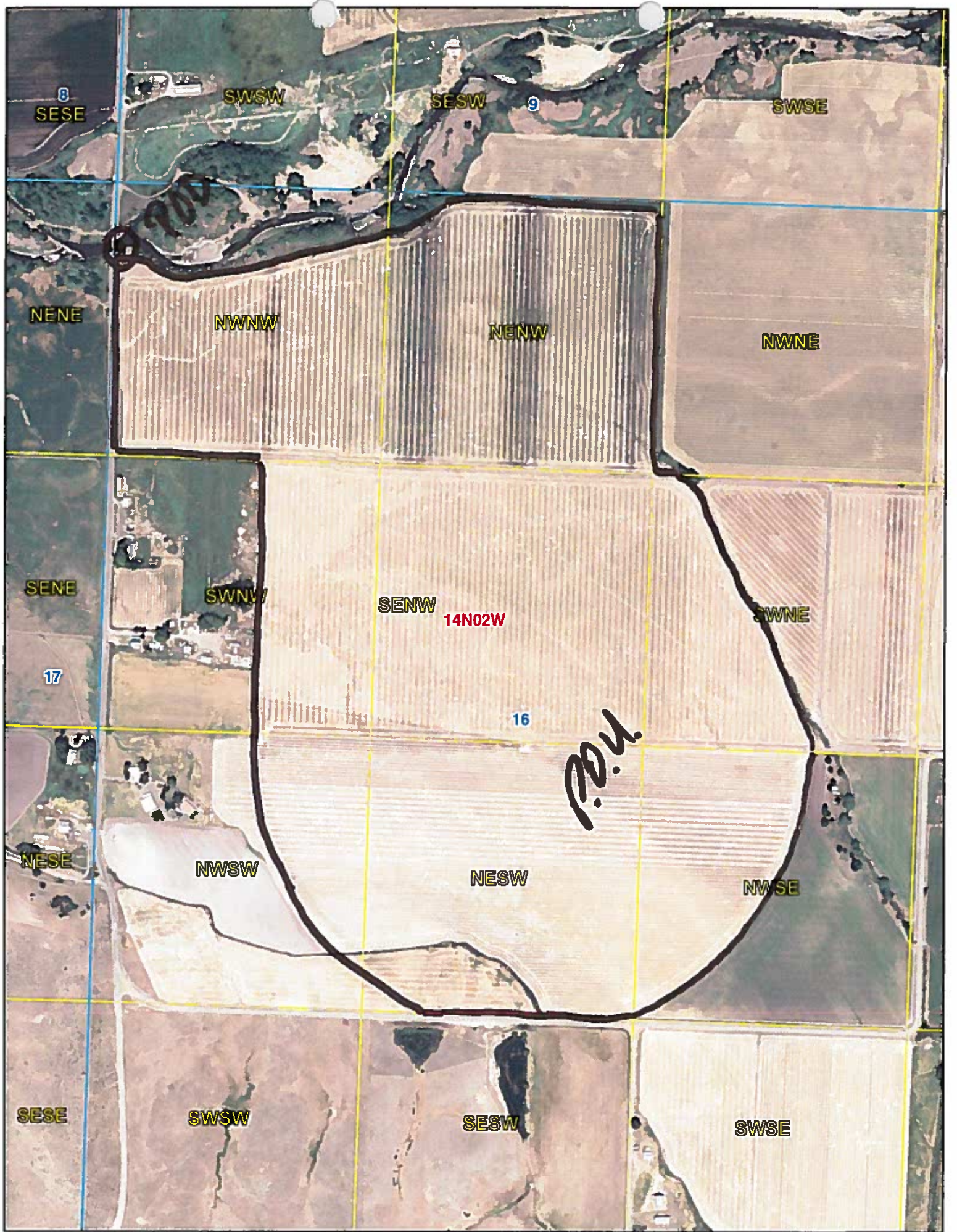
80715



-  Proposed POD
-  67-478
-  67-4595
-  67-4297
-  67-14505
-  67-477B



TRANSFER 80715





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 1, 2016

ROYCE A SCHWENKFELDER
SCHWENKFELDER RANCHES INC
J R S RANCHES LLC
3315 SCHWENKFELDER RD
CAMBRIDGE, ID 83610

RE: Transfer No. 80715
Water Right No(s). 67-14505, 67-4297, 67-4595, 67-478

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the WEISER SIGNAL on 4/6/2016 and 4/13/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 1, 2016

JOE STIPPICH
2195 HANTHORN RD
INDIAN VALLEY ID 83632

RE: Application for Transfer No. 80715

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of April 25, 2016.

If you desire to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume you do not object to this application(s) if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely
Administrative Assistant
Western Region

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 01, 2016 10:04 AM
To: 'Sarah Imada'
Subject: Washington Legal Ad
Attachments: Washington (Weiser) Cover Letter.docx; Washington Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 4/6/2016 & 4/13/2016.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

March 31, 2016

LEGAL NOTICE DEPARTMENT
WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Application for Permit No. 67-15149
 Application for Permit No. 67-15150
 Application for Transfer No. 80715,
 Water Right No(s): 67-14505, 67-4297, 67-4595, 67-478

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/25/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

67-15149

DON EVANS

2740 KNOB HILL RD

MIDVALE, ID 83645

Point of Diversion NWNW S16 T13N R03W WASHINGTON County Source BEAVER CREEK Tributary WEISER RIVER

Use: IRRIGATION 05/15 to 09/30 0.76 CFS

Total Diversion: 0.76 CFS

Date Filed: 2/8/2016

Place of Use: IRRIGATION

T13N R03W S16 NWNW

Total Acres: 38

67-15150

LANCE HOCH

DAWNETTE HOCH

4550 CASSIA RD

NEW PLYMOUTH, ID 83655

Point of Diversion NENW S22 T10N R03W WASHINGTON County Source GROUND WATER

Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS

Use: IRRIGATION 03/01 to 11/15 1 CFS

Use: IRRIGATION FROM STORAGE 03/01 to 11/15 225 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 250 AF

Total Diversion: 1 CFS

Date Filed: 2/8/2016

Places of Use: IRRIGATION, IRRIGATION FROM STORAGE

T10N R03W S22 NENW SENW

Place of Use: IRRIGATION STORAGE

T10N R03W S22 NENW

Total Acres: 50

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80715

ROYCE A SCHWENKFELDER, 3315 SCHWENKFELDER RD, CAMBRIDGE, ID 83610; SCHWENKFELDER RANCHES INC, 3315 SCHWENKFELDER RD, CAMBRIDGE, ID 83610; J R S RANCHES LLC, 3315 SCHWENKFELDER RD, CAMBRIDGE, ID 83610; has filed Application No. 80715 for changes to the following water rights within ADAMS, WASHINGTON County(s): Right No(s). 67-14505, 67-4297, 67-4595, 67-478; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Transfer 80715 proposes to add a new POD to four Little Weiser River rights at a pump station that delivers water closer to the pertinent place of use. The proposed point of diversion currently serves water right 67-477B and is located at the Gladhart Lane Bridge, crossing the Little Weiser River approximately four miles east of Cambridge, ID. The proposed point of diversion is 3.7 linear miles downstream from the existing point of diversion.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 4/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/6/2016 and 4/13/2016

MEMORANDUM

TO: Transfer No. 80715
FROM: Patrick Kelly
DATE: March 15, 2016
RE: Evaluation of Application

The transfer proposes to add a new POD to five Little Weiser River rights at a pump station that delivers water closer to the pertinent POU. The proposed POD currently serves water right 67-477B.

The proposed diversion site is located at the Gladhart Land Bridge, crossing the Little Weiser River approximately four miles east of Cambridge, ID. The new POD is 3.7 linear miles downstream from the pre-transfer POD.

Deviation from Policy Standard

Transfer 80715 was submitted with only Royce Schwenkfelder's address. ID SOS records show that JRS Ranches registered address is 5500 W Old School Ln., Meridian ID 83646. However, 67-14505 carries the 3315 Schwenkfelder Rd. Cambridge, ID 83610 address. Because the current water right address is Cambridge, the transfer application will not require an amendment or additional information. Correspondence will be assigned to the Cambridge address to match the address on the pertinent transfer rights.

The transfer application identifies the NWNWNW Sec 16, Twp 14N, Rge 2N of Washington Co as an old POD because this is the POD for 67-477B. Right 67-477B was eventually dropped from transfer processing and is the same POD for the "New" POD. An amendment to the application is not required for this situation.

Table 5 of the transfer application describes all PODs. All of the PODs within Sec 1 are the same, single POD and should have been identified by one description. Two of the four rights have described two different ten acre tracts. It is difficult to determine which one is accurate, but for department policy standards, it is not necessary to identify the ten acre tract for a canal diversion off of a river. The ten acre descriptions will be removed from the rights post-transfer.

Also in Table 5, all of the PODs within Sec 1 are described within Washington County, when in reality the diversion is within Adams County. It is within our departments policy to continue processing an application without requiring an amendment for such an error.

Summary of Information Submitted

Authority to File: Transfer 80715 was filed by Schwenkfelder Ranches Inc, Royce A Schwenkfelder and JRS Ranches LLC. ID Sec of State office records show J Robert and Bonnie Schwenkfelder as registered agents for the JRS Ranches LLC. Taxlot data shows land ownership in the name of Royce Schwenkfelder and JRS Ranches. The transfer application has been signed by both parties.

Water Right Validity: Rights presumed to be valid based on beneficial use found using historical imagery of 2013 and 2015. Forfeiture is not a concern.

Injury to Other Water Rights: New point of diversion is 3.7 linear miles downstream from the existing POD. Because the new diversion is downstream, a benefit from the source is not anticipated. Comment will be solicited from the watermaster of Basin 67A – Little Weiser River during the advertisement period.

Enlargement of Use: The proposed point of diversion would pull water from the river at a location closer to the water rights' place of use. The pumping station is reported to have measuring devices installed and available control for the watermaster. There are no significant tributaries between the two diversions. Given the size of the natural system, and the two diversion locations, it is believed that water availability would be equivalent at both sites. No enlargement is anticipated from such a change.

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

Transfer 80715 proposes to add a POD in the NWNW, Sec 16, Twp 14N, Rge 2W of Washington County for 67-477B, 67-478, 67-4297, 67-4595 and 67-14505. The point of diversion proposed to be added already exists and serves as the POD for right 67-477B. Transfer processing will then NOT include 67-477B and only add a POD to the other four rights. The actual diversion rate associated with the remaining four being moved to the POD is $4.67 - 1.62$ (67-477B) = 3.05 cfs.

A transfer of 3.05 cfs requires a fee of \$740. A fee of \$820 was received associated with a transfer of 4.67 cfs. A refund may be requested upon final processing.

The transfer approval document Summary of Water Rights After the Approved Change table (pg 1) has a combined totals of 186.0 acre limit and 249.0 total acres. Only 67-14505 has an acre limit of 23.6 acres identified. The 186.0 represents a total acre limit authorized by the four rights when combined use limits are considered. 67-4297 and 67-14505 share a limit of 63 acres. This is the difference between the total Acre Limit and Total Acres.

67-478 has combined use limits of 1.57 cfs and 78.4 acres with 67-7037 in data entry. The decree for 67-478 recognizes combined use limits with 67-7485 but not 67-7037. The irrigation POU for both rights does overlap, and the conditions are found on 67-7037. It is believed that 67-7037 was decreed to recognize the overlap, and combined use limits were entered for 67-478, but not added to the conditions. The combined use limits will be added to conditions for 67-478 post-transfer.

67-478 has a combined use limit conditions of 1.66 cfs and 83 acres with 67-7485. 67-7485 has limits with 67-478 for 1.78 cfs and 89 acres. It is not clear where this miscommunication or error occurred. However to make both rights consistent with each other, I will error on the side of the larger limit. Both rights only have an actual overlap of 22.5 acres and on paper seems like they could irrigate up to 143.1 acres since no acre limits are identified on either right.

The proposed new POD in the transfer does not deliver water to the POU for either 67-7485 or 67-7037. Because the transfer is only adding a POD to those rights that share the same POU under the same system and limits are not changing, 67-7485 and 67-7037 are not added to the transfer or as associated rights. The combined use limits are still in effect and should be managed accordingly at both locations by the water user and watermaster.

67-4297 and 67-14505 both have pre-transfer conditions that state a combined use of 63.0 acres. Combined use data entry shows 59.0 acres. Review of the decree finds a condition for 63.0 acres. The database will be changed to reflect the decree.

Decrees were issued in 2008 following SRBA recommendation. Results were migrated prior to transfer processing and no further action is required.

A the time of this review, the rights were not found to be associated with the Water Supply Bank.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.