

MEMORANDUM

Date: June 22, 2018
To: Transfer 80080
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

Application 80080 was originally filed on March 6, 2015. It has been amended twice. The latest amended application proposes to change the place of use for water right 11-4208. The current place of use for water right 11-4208 covers 560 acres. The proposed place of use is for 518.1 irrigated acres within a 1135.7-acre permissible place of use.

Water right 11-4208 is a statutory claim filed pursuant to Idaho Code Section 42-248. As such, the Department must verify the elements of the water right prior to any transfer approval. On July 1, 2015, Blake Jordan conducted a field exam of the system. Blake confirmed the existence of a pipeline system diverting water from Dunns Canyon Creek. The pipeline system was diverting 2.47 cfs at the time of the exam. This far exceeds the flow rate listed on the claim (1.18 cfs). In addition to the pipeline system, water is diverted directly from the creek for flood irrigation. Blake also determined that 518.1 acres could be irrigated with the original pipeline system. The current pipeline system can be used to irrigate up to 1,135.7. These additional acres would need to be included under a separate statutory claim or adjudication claim.

Applicant provided an affidavit to support a priority date for the right. The affidavit from A. Dale Dunn described working with irrigation water from the system when he was a teenager in 1936. Statutory Claim 11-4208 described a priority date of 5/30/1900. The priority date for the right was changed to 4/15/1936 to coincide with the affidavit from Mr. Dunn.

Authority to File: Application was filed by Bryce Crane and Drue Smith. Existing place of use for water right 11-4208 includes parcels owned by Smith 3 Mile Ranch LLC (Drue Smith), Bryce Crane, Andrew Bass, and Drue Smith. The proposed place of use includes parcels owned by Smith 3 Mile Ranch LLC, Bryce Crane, Andrew Bass, Drue Smith, Jeffrey Smith, Bradley Transtrum, and Dunn Family Real Estate. Application includes a document signed by Jeff Smith and Andrew & Michele Bass consenting to the transfer.

Water Right Validity: Use of water right was confirmed in 2015 field exam. Aerial photography shows consistent cultivation of acres within proposed place of use.

Injury to Other Water Rights: Application was protested by neighboring property owners Quinn Smith and Redwood Farmland Holdings LLC. The protests were withdrawn without condition. Point of diversion will not change. No injury issues identified.

Enlargement of Use: No other water rights within existing place of use. Some of the acres in the proposed place of use are located within the service boundary for Georgetown Irrigation Company. The service boundary for that company is very large. Applicants do not intend to combine water right 11-4208 with any other water right. No enlargement issues identified.

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.