

MEMORANDUM

Date: April 19, 2018
To: Transfer 81750
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the place of use for water right 11-7014. The new place of use would include 38.8 acres in Idaho and 38.5 acres in Wyoming. Widmers ranch straddles the Idaho-Wyoming state line near Geneva, Idaho.

The application also proposes to add an existing well in Idaho as a second authorized point of diversion under water right 11-7014.

Authority to File: Water right is currently in the name of Merrill and Janet Widmer. Applicant, Widmer Ranch LLC, provided a copy of a deed from Merrill and Janet Widmer for the existing place of use for water right 11-7014. According to Bear Lake County taxlot records, Widmer Ranch LLC owns the property at the current and proposed place of use (in Idaho). Recent documents from the Wyoming state engineer's office confirm that Widmer Ranch LLC owns the proposed place of use in Wyoming.

Water Right Validity: Water right was licensed in 1976. Aerial photos show consistent irrigation of the existing place of use.

Injury to Other Water Rights: The proposed second point of diversion is located approximately 1/2 mile north of the existing point of diversion. The closest well would be the domestic well associated with a home on Widmer's property. The closest point of diversion on a recorded ground water right is located about 2 miles from the proposed second point of diversion. No apparent injury issues. Applicant will be required to install flow meters on both wells to confirm volume limits on water rights are not exceeded.

Enlargement of Use: Beneficial use under the water right will not increase. Right will continue to be limited to 77.3 acres. Existing place of use will be irrigated with canal company water, rented and moved from a nearby property. Existing place of use for water right 11-7014 is not currently covered by canal company shares.

Local Public interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Because the application proposes to move irrigated acres outside of the state of Idaho, the Department must conduct a review under the criteria set forth in Idaho Code 42-401(3). In general, there are very few concerns with the proposed transfer. The Widmer Ranch straddles the state line. Hydrologically, there is little difference if the irrigation occurs on the Idaho half of the ranch or the Wyoming half of the ranch. The proposed place of use is located less than one mile from the existing place of use.

(a) Approval of the proposed transfer will not affect the supply of water available to the state of Idaho. The acres irrigated in Wyoming are upstream of Idaho, Any unused water will return to Idaho through the contiguous aquifer.

(b) The ability to appropriate future water supplies in the state of Idaho are limited by the terms of the Bear River Compact. If anything, moving irrigated acres outside of Idaho may allow some minor amount of additional development in the central division in Idaho.

(c) The transfer will not affect the hydrology of the basin. There are already and will continue to be periodic surface water shortages in the basin. Some water users in the basin have supplemental ground water rights, others do not.

(d) The water being transferred could alleviate water shortages in Idaho. However, Widmer Ranch owns property on both sides of the state line and, in transferring this right, it is managing its water supplies to address future water needs for the entire ranch.

(e) The Central Division in Wyoming is still open for appropriation. Winder Ranch has an active permit to develop two ground water wells in Wyoming. If those wells yield a sufficient amount of water, Widmers will propose to move Idaho water rights back into Idaho.

(f) All water use in the Central Division is monitored by Idaho and Wyoming.

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.