

MEMORANDUM

Date: October 17, 2017
To: Transfer 81903
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and change the place of use for water rights 35-13654 and 35-13656 and combine them with water rights 35-7467 and 35-13261 to create a 231-acre combined place of use. This transfer was filed in response to an unauthorized water use letter sent in August, 2017. The applicant seeks to cover a portion of their property that was being irrigated without a water right. The applicant will utilize an existing well authorized under water rights 35-7467 and 35-13261.

The season of use recorded under water right 35-13656 is 01/01-12/31, which is in error. This error was created through transfer approval 74238. The season of use for water right 35-13656 should be 04/01-10/31. The season of use error will be corrected through this transfer.

The mailing address of Whitnah Ranches Inc. has changed. The mailing address will be updated for the water rights involved in this transfer.

Authority to File:

The applicant is the current of water rights per IDWR record and owner of the properties involved in this transfer per Power County parcel information system (updated August, 2017). Douglas Whitnah who is the president of Whitnah Ranches Inc. signed the application.

Water Right Validity:

These water rights were decreed in 2002. Aerial photography shows land has been irrigated within the past five years. No clear and convincing evidence of forfeiture.

Injury to Other Water Rights:

Water rights are within the ESPA and regulated by WD 120. ESPA analysis shows impacts resulting from this transfer will be less than 2.0 af/trimester at each ESPA reach. No additional mitigation is required. This transfer was advertised and there are no protests. WD 120 watermaster does not oppose the application.

Enlargement of Use:

No 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.