

MEMORANDUM

Date: April 13, 2017
To: Transfer 81572
From: Cass Jones
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the place of use for water rights 31-2436, 31-7023, 31-7065, 31-7003, 31-11345 to cover acres that are being irrigated without a water right. This application also proposes to change the POD for a portion of rights 31-7003 & 31-11345.

Authority to File: The applicant is the current owner of the water rights, and the owner of the property at the proposed place of use per Jefferson County tax lot data. The proposed point of diversion is on Dale Richins property, but an easement has been granted to use the well (see attachment). Steven Brutenshaw passed away November 5, 2004 leaving Shelli G. Burtenshaw (widow) as the authority to file for the Steven Burtenshaw Legacy (see Death Certificate and Warranty Deed attached). All water rights in this transfer under Steven and Shelli G. Burtenshaw will be updated to only include Shelli G. Burtenshaw. Shelli G. Burtenshaw is also known as Shelli Cope.

Water Right Validity: Water rights 31-2436, 31-7023, 31-7065 were decreed in the SRBA on 8/12/2002, and water rights 31-7003 and 31-11345 were decreed in the SRBA on 2/22/2002. Recent aerial and satellite imagery shows land being consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights: Water rights are located in Section 03, 09, 10, T05N, R35E, which is within the WD 110 boundary. Points of diversion are within adjacent ESPA model cells, so no ESPA analysis is required. This transfer was advertised and there are no protests. The watermaster does not oppose transfer application.

Enlargement of Use: No issues identified.

Local Public interest: No issues identified at this time.

Beneficial Use/Conservation of Water Resources: Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area: No issues identified.

Effect on Agricultural Base of the Local Area: 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.