

MEMORANDUM

Date: June 6, 2017
To: Transfer 81611
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion for rights 34-7055 and 34-10923. Under the existing system, ground water diverted under water rights 34-7055 and 34-10923 is injected into the Island Canal, then conveyed in ditch systems for five miles, then injected into the Big Lost River and rediverted into the Munsey Ditch for delivery to the place of use. This transfer would move the ground water diversion much closer to the place of use. Ground water will now be injected directly into the Munsey Ditch, eliminating many of the losses of the old system. Water will be used more efficiently.

Authority to File:

The applicants, Jay and DeAnn Jensen, have the authority to file. They are the owners of the water rights according to Department records.

Water right 34-7055 was decreed in the applicants' name. At the time of transfer submittal, the USDA Farm Service Agency was also listed as an owner. It is unclear at what point the USDA was added as an owner. No post-decree evidence could be located that indicates the USDA has any interest in the water right and/or the Jensen property. Due to the lack of evidence of USDA's interest, the USDA was removed as a water right co-owner as part of this transfer.

Marilyn Lambert owns the land at the new point of diversion according to Butte County taxlot data. A "Water Right, Well, and Easement Agreement," between Jay and DeAnn Jensen and Marilyn Lambert, was submitted with the application. That agreement specifically authorizes the applicants to file this application.

Water Right Validity:

The water rights are valid. They were decreed in 2001. Review of the WMIS data for the existing point of diversion indicates consistent diversion of the rights. Place of use has been consistently irrigated.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. The Watermaster for Water District 34 was notified of the transfer and did not oppose it.

An analysis of the ESPAM2 model did not predict an effect of greater than 10% of historical impact on any modeled reaches of the ESPA.

Enlargement of Use:

No enlargement of use will result from this transfer.
Rate, volume, nor irrigated acres are authorized to increase.

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.