

MEMORANDUM

Date: May 5, 2017
To: Transfer 81473
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion, add points of diversion and change the place of use for water right 31-2427C. Walker Land & Cattle finalized a real estate contract with NKC Great Plains LLC which resulted in three transfer applications being filed (81368, 81369, 81473). The purpose of these transfers is to exchange water rights to improve the priority dates for property now owned by NKC, Great Plains LLC and to increase the rate of diversion per acre for the property that was retained by Walker Land & Cattle (applicant). Through this transfer the applicant seeks to move water right 31-2427C to replace 260.0 acres under water rights 31-7136 (9.6 acre portion) and 31-7093 which was removed through transfer 81368 (approved). The applicant will utilize two existing wells.

Authority to File:

The applicant is the current owner of water right 31-2427C per IDWR record and owner of the property at the current place of use, proposed points of diversion and proposed place of use per Jefferson County and Fremont County taxlot data. Lorin Walker who is a member of Walker Land & Cattle signed the application. Well Fargo who has a security interest on water right 31-2427C does not oppose the transfer application.

Water Right Validity:

Water right 31-2427C was decreed in 2002. Aerial photography shows land consistently irrigated.. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. The changes being proposed through transfers 81369 and 81473 essentially offset impacts to the ESPA river reaches. An additional 1.7 af/trimester (consumptive use) will be diverted from the proposed point of diversion described under transfer 81369. It is clear that impacts to the ESPA river reaches will be less than 2.0 af/trimester. No ESPA analysis will be required. This transfer was advertised and there are no protests. The watermaster does not oppose this transfer.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

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.