

MEMORANDUM

Date: March 16, 2017
To: Transfer 81508
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the place of use for water right 31-4004 to represent the actual irrigated acreage. An ownership change and assignment of application were filed by NKC Great Plains, LLC and was received on April 11, 2017 during the review and approval process. Changes have been made on the transfer to reflect those ownership changes.

Authority to File:

The applicant, Ellis Family Trust, is the current water right owner according to IDWR records. The application signee, Lana Schultz, is a trustee that has the authority to sign on behalf of Ellis Family Trust if Mr. Kenneth Ellis dies or is incapacitated, which is the case. According to Jefferson County taxlot data, the applicant is the owner of the current and proposed place of use.

Water Right Validity:

The water right included in the transfer was decreed in the SRBA in 2002. Review of 2015, 2011 and 2009 aerial photography shows signs of growing vegetation and active cultivation on the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed change. The place of use is being updated to properly represent actual acreage being irrigated. Neither the point of diversion or the authorized quantity authorized to be diverted will change as a result of the transfer. Since the proposed change will not affect other water rights, this application will not require public notice.

Enlargement of Use:

The proposed change will not result in enlargement because neither the rate, volume or irrigated acreage will increase as a result of the transfer. The place of use is simply being updated to better represent current irrigation.

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.