

MEMORANDUM

Date: March 15, 2017
To: Transfer 81479
From: Amanda Weber
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use to accommodate the reconfiguration of a pivot. The point of diversion will not change.

Authority to File:

The applicant is the current water right owner of record. Kim Welch is the owner of all of the land for the current place of use and he is the owner of the majority of the land for the proposed place of use. The tax lot data for SW 1/4 NE1/4 Section 11 T09S R39E shows the current owner as VP Farms LLC. A warranty deed attached to the transfer application shows the land being conveyed to John Colter Welch. There are two letters attached to the transfer application signed by Kim Welch and John Colter Welch consenting to the transfer. Despite tax lot data being out of date the attached letters and warranty deed indicate Kim Welch has authority to make the change.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2004. Review of 2009, 2011, and 2015 aerial photography shows growing vegetation on the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged to accommodate the reconfiguration of a pivot. Neither the point of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice. The water rights are regulated by Water District 13T. The watermaster did not provide a comment.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of the transfer. The place of use for the transferred rights is simply being rearranged.

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.