

MEMORANDUM

Date: December 20, 2016
To: Transfer 81261
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the nature of use, period of use, place of use, and point of diversion for 13.6 acre feet and 0.09 cfs from rights 32-13268, 32-13270, and 32-13272. The new nature of use will be stockwater for 1,400 head of cattle from 9/15 through 5/15. The applicant is drying up 6.7 irrigated acres by shutting off nozzles on the ends of three pivots.

Authority to File:

The applicant, Webber Creek Ranch, LLC, has the authority to file. Cletus R. Hamilton signed the application. According to the Idaho Secretary of State, Mr. Hamilton is Webber Creek Ranch's registered agent. According to the Clark County Tax Assessor's Office, Webber Creek Ranch, LLC, owns the land from and onto which the water rights are being transferred. Webber Creek Ranch, LLC, is the owner of the water rights per Department records.

Water Right Validity:

The water rights are valid. The rights were all decreed in either 2000 or 2002. Review of post-decree aerial photography demonstrates consistent irrigation.

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 110 was notified of the transfer and did not oppose it. An ESPAM2 simulation was not required because the post-transfer point of diversion is in an adjacent model cell to the pre-transfer point of diversion.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. The 6.7 acres that the applicant will dry up have been planted with alfalfa for the past five years. According to the University of Idaho's ETIdaho, alfalfa subject to frequent cuttings and grown in the region of the Dubois Experiment Station have a growing season precipitation deficit of 619 mm/acre, or 2.03 acre feet per acre. By drying up 6.7 acres, the applicant is transferring 13.6 acre feet annually. Each beef cattle is estimated by the Department to consume 12 gallons/day. 12 gallons/day * 1400 beef cattle * 244 day/season / 325,850 gallons/acre foot = 12.6 acre feet necessary for the feedlot. If rounding rules were strictly followed, the amount split in each case from each of the three rights would increase. In order to avoid an enlargement in the amount of water transferred to the feedlot, and in an effort to maintain the integrity of the remaining irrigation rights, the amount split from right 32-13268 was rounded down from 3.25 acres to 3.2 acres.

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.