

MEMORANDUM

Date: April 18, 2016
To: Transfer 80755
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 21 acre portion of water right 35-7930. This transfer also proposes to change the place of use for rights 35-2265 and 35-4214. The applicants seek to move 21 acres from water right 35-7930 and combine it with water rights 35-2265 and 35-4214. Rights 35-2265, 35-4214 and 35-7930 (21 acre portion) will be limited to the irrigation of 419.0 acres. This transfer was filed in response to an unauthorized water use letter sent on 11/9/2015. The applicants will use an existing well described under rights 35-2265 and 35-4214.

Water rights 35-2541 and 35-7930 share the same 240.0 acre place of use. Right 35-2541 was added to the transfer as an associated water right. The total acres and volume described under right 35-2541 will be reduced to 219.0 acres and 876.0 acre feet.

The applicants seek to split 21.0 acres from right 35-7930 at a disproportionate rate and volume. The proportionate split for the 21.0 acres is 0.15 cfs and 63.7 acre-feet. However the applicants seek to increase the rate of diversion to 0.40 cfs (0.019 cfs/acre) and the volume to 84.0 acre-feet (4 acre-feet/acre).

Authority to File:

Douglas and Jeannette Phillips are the current owners of rights 35-2265 and 35-4214 per warranty deed. The ownership for rights 35-2265 and 35-4214 will be changed into the names of Douglas and Jeannette Phillips. Douglas and Jeannette Phillips are the owners of the property at the proposed point of diversion and proposed place of use per warranty deed and Bingham County taxlot data. Joseph and Elizabeth Phillips are the current owners of water right 35-7930 per IDWR record. The ownership for the 21.0 acres being changed under rights 35-7930 will stay in the name of Joseph and Elizabeth Phillips. Western AgCredit has a security interest in water rights 35-2541 and 35-7930. Western AgCredit does not oppose this transfer as long as their security interest remains on the water rights after the transfer is approved.

Water Right Validity:

Rights 35-2265 and 35-4214 were decreed in 2002. Right 35-7930 was licensed in 2002. Aerial photography shows land to be consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. ESPA analysis show impacts to the Snake River reaches are less than 2.0 acre-feet per trimester. No mitigation is required. This transfer was advertised and there are no protests. The watermaster does not oppose the transfer.

Enlargement of Use:

No issues identified.

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.