

MEMORANDUM

Date: January 6, 2016
To: Transfer 80553
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 115.3 acre portion of water right 35-13862. The applicants seek to increase the rate of diversion per acre to 0.02 cfs/acre on irrigated land described under water right 35-2167B (154 acres). Rights 35-13862 (115.3 acre portion) and 35-2167B (154 acres) when combined will be limited to 616.0 acre-feet and 154.0 acres.

The applicants included water right 35-2167B as part of the transfer application. The point of diversion and place of use for this water right will remain the same. Conditions of approval will be placed on water right 35-2167B and 35-13862 (115.3 acre portion) limiting them to a combined 616.0 acre-feet and a combined 154.0 acres.

It is important to note that the proposed acres to be removed described under part 2B of the application is in error. According to the application 3.0 acres in the SENW of 07S, 31E, Section 8 will be changed. The place of use shape file boundary described in the Departments GIS database shows land in the SENW of 07S, 31E, Section 8 as part of the water right. Aerial photography does not accurately line up with the PLS. The 3.0 acres to be removed is actually in the SWNW of 07S, 31E, Section 8. The transfer approval document will reflect the correct acres being removed.

Authority to File:

The applicants are the current owners of the 115.3 acre portion of water right 35-13862 per IDWR record and Power County taxlot data. The applicants are the current owners of water right 35-2167B per IDWR record and current owners of the property at the proposed point of diversion and place of use per Power County taxlot data. Randy Budge who is the applicants attorney signed the application.

Water Right Validity:

Right 35-13862 was decreed in 2002. Right 35-2167B was decreed in 2012. 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 shows impacts to the ESPA river reaches are less than 2.0 acre-feet per trimester. This transfer was advertised and there are no protests. The watermaster did not provide comment on the transfer.

Enlargement of Use:

Both water rights 35-13862 and 35-2167B are combined with water from Aberdeen Springfield Canal Co. The place of use for the 115.3 acres being removed will continue to be irrigated with the applicants canal shares. The proposed place of use will be irrigated with both ground water and canal shares. No enlargement 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.