

MEMORANDUM

Date: June 22, 2015
To: Transfer 80090
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to combine and rearrange the places of use for water rights 31-2258C, 31-2351B, 31-2381D, 31-2381C and an 8-acre split portion of water right 31-2381B. The rearranged place of use will cover a new center pivot to be constructed in the NW 1/4 of Section 7, T07N, R34E. The applicant proposes drying up acres: 8 corners and a 34-acre field under water rights 31-2258C, 31-2351B, and 31-2381D; a 26-acre field under water right 31-2381C and removing the endgun from the pivot under water right 31-2381B. The new pivot will be part of an interconnected system containing three pivots with no end guns.

Authority to File:

The applicant, Hartwell Family, LLC, has the authority to file. Hartwell Family, LLC is the owner of all of the water rights according to the department's water right database. The applicant is also the owner of the land from and onto which the irrigated acres are being transferred, according to Jefferson County taxlot data.

Andy Kellom, who signed the application, is a registered member of the Hartwell Family, LLC, according to the Idaho Secretary of State website.

Water Right Validity:

The water rights are valid. They were decreed in 2002. Post-decree aerial photography indicates consistent irrigation of most of the acres proposed for transfer. Approximately 3.3 acres of water right 31-2381C has not been irrigated for many years; it has been used as a stackyard area. To facilitate approval of this transfer, the applicant proposes to reduce water right 31-2381C by 3.3 acres to account for the unused (stackyard) part of the right.

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 was notified of the transfer and did not object.

Enlargement of Use:

No enlargement will result from this transfer. The transfer does not authorize an increase in rate, volume, or irrigated 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.