

MEMORANDUM

Date: February 5, 2013

To: Transfer
78285

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 portion of water rights 35-8134, 35-7496, 35-2252B, 35-2614, 35-7442, 35-2651D, 35-13247, 35-13503, and 35-13505. The applicants recently purchased new property located in the NW1/4 of 02S, 33E, Section 18 and seek to install an irrigation system to irrigate 97.1 acres. The applicants also seek to drill a new well.

Water right 35-7989 was added to this transfer as an associated water right. This water right shares the same place of use with water right 35-2251. The place of use and conditions of approval for water right 35-7989 will be updated to reflect the changes made to water right 35-2251.

The application indicates that a total volume of 388.4 acre feet is being transferred, which is in error. The total volume being transferred is 387.7 acre feet.

Authority to File:

The applicants are the current owner of water rights per IDWR record and owner of proposed place of use per warranty deed. Idaho Ag Credit has a security interest in some of the water rights involved in this transfer. Idaho Ag Credit provided a letter consenting to the transfer.

Water Right Validity:

Licensed and decreed water rights. 2011 aerial photography shows the land under water right 35-7496 being irrigated. The other water rights involved in this transfer have recently been released from the Water Supply Band or released from the CREP program. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. ESPA analysis indicates no additional mitigation is required. This transfer was advertised and was protested. The protest was withdrawn on February 1, 2013. Watermaster does not oppose transfer.

Enlargement of Use:

No issues identified.

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.