

M E M O R A N D U M

Date: November 19, 2012
To: Transfer 78163
From: dkidman
Re: Transfer Evaluation

This transfer proposes to rearrange the authorized POU to cover a new irrigation system configuration. The applicant will be drying up acres and installing a new pivot and wheel lines on ground currently not irrigated to increase crop yield.

Authority to File:

Ramshorn Grazing Association Incorporated (RGAI) is the current owner of the water rights per IDWR record. Mel Ellwein is the owner of the property as well as the President of RGA. RGA was administratively dissolved on July 8, 2004 and was reinstated on November 1, 2012. Reinstatement documents are in the file.

Validity:

The rights were decreed in the SRBA on January 2002. 2009 and 2011 aerial photography shows land under current water right POU has been consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Water rights are inside the ESPA. No changes to the PODs are made through this transfer so the ESPA model analysis is not required. No injury issues identified. Watermaster for Water District 34 does not oppose the transfer.

Enlargement of Use:

There is no evidence of an enlargement. No additional acres will be irrigated.

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.

The application has been advertised in the Challis Messenger and protested by BLM. Proposed POU mistakenly included 0.4 acres on BLM land. Application was amended and the 0.4 acres was moved from the SENW of Sec 21 to the NENW of Sec 16. Amendment resolved BLMs issues and the protest was withdrawn.