

MEMORANDUM

Date: February 29, 2012
To: Transfer 77720
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use for a portion of water rights 31-11730. This transfer also proposes to change the place of use for water rights 31-12265, 31-12267 and 31-12269. The applicants are seeking to backfill 74.5 out of 81.5 acres removed from water rights 31-12265, 31-12267 and 31-12269 by transfer 77722 with 74.5 acres from water right 31-11730. Transfers 77718 and 77720 were filed simultaneously proposing to exchange acres between water rights 31-11730, and water rights 31-12265, 31-12267 and 31-12269. The purpose of these transfers is to increase the rate of diversion to acre ratio for the irrigation system under water right 31-11730 and cover the additional 7.0 acres of irrigated land not covered by a water right. The applicants will be using an existing well.

Because water rights 31-11730, 31-12265, 31-12267 and 31-12269 are involved in two transfers that were filed simultaneously, they had to be pre-split and assigned to a transfer. Using the new split water right process, water rights 31-11730, 31-12265, 31-12267 and 31-12269 were split as followed:

31-11730 split into 31-11730 (transfer 77718) and 31-12273 (transfer 77720)
31-12265 split into 31-12274 (transfer 77718) and 31-12265 (transfer 77720)
31-12267 split into 31-12275 (transfer 77718) and 31-12267 (transfer 77720)
31-12269 split into 31-12276 (transfer 77718) and 31-12269 (transfer 77720)

The summary page of transfer approval document 77718 will show how water rights 31-11730, 31-12265, 31-12267 and 31-12269 were split.

The season of use for water right 31-12269 is in error. IDWR record indicated that the season of use is 01/01-12/31. The season of use discrepancy for this water right will be changed to 04/01-10/31.

Authority to File:

Applicants are the current owner of water rights per IDWR record and owner of property per Jefferson County taxlot data. Dave and Melissa Ward signed the application.

Validity:

Decreed in 2002. 2011 aerial photography shows land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 110. Points of diversion are within adjacent model cell. No ESPA analysis required. This transfer was advertised and there were no protests. Watermaster does not oppose transfer. No injury issues identified.

Enlargement of Use:

The applicants are seeking to increase the rate of diversion to acre ratio for their irrigation system under water right 31-11732, and include 7.0 acres of irrigated land not covered by a water right. To accomplish this; the applicants are exchanging 74.5 acres of water right 31-11730 with a combined 81.5 acres from water rights 31-12265, 31-12267 and 31-12269, which when combined have a higher

rate of diversion to acre ratio. Transfer 77718 will authorize the combined irrigation of 275.0 acres, which will include the 7.0 acres not covered by a water right. Transfer 77720 will authorize the combined irrigation of 129.0 acres which is 7.0 acres less than what was authorized prior to transfer 77720. The acre exchange between these water rights does not create new water under the four existing water rights. The approval of transfer 77718 and 77720 will not result in an enlargement of water right. 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 not clear inconsistency with the criteria set forth in Section 42-222, Idaho Code.