

MEMORANDUM

Date: May 05, 2011
To: Transfer 77108
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use for water rights 35-13870 and 35-13871. The applicants are seeking to install a new mini pivot located in the NWNE and NENE of 04N, 36E, Section 6 by drying up and rearranging acres under water rights 35-13870 and 35-13871. Applicant will be using existing point of diversion described under right 35-13870.

To cover the new mini pivot, the applicants had to bring in an additional 10.2 acres of water right from their adjacent farm. The water rights appurtenant to ~~this adjacent farm includes rights~~ ^{are} 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13871 (being transferred), 35-13873 and 35-13875. Instead of taking a portion of the listed water rights, 10.2 acres was taken only from water right 35-13871. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873 and 35-13875 are included in this transfer as associated water rights. The acres and conditions under the associated water rights will be changed to reflect the changes made to right 35-13871.

Authority to File:

The applicants are the current owners of water rights per IDWR record and Jefferson County taxlot data (Feb., 2010). The applicants do have a mortgage with Northwest Farm Credit Services for the lands involved in this transfer. Northwest Farm Credit Services provided a letter approving these changes.

Water Right Validity:

Decreed water rights. 2009 aerial photography shows land being irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. Point of diversion change is within an adjacent cell. No ESPA analysis required. Transfer was advertised and there are no protests. Watermaster does not oppose transfer. No injury issues identified.

Enlargement of Use:

No issues identified

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.