

MEMORANDUM

Date: May 05, 2011
To: Transfer 77118
From: jcefalo
Re: Eval Memo

This transfer proposes to add the Ellis Ditch as a point of diversion for all Island Irrigation water rights. A corresponding transfer was filed with this application proposing to add the Island Canal as a point of diversion under the Ellis Ditch water rights. These transfers in combination will allow the Ellis Ditch to divert at higher flow rates for shorter periods of time during the year. The Island Canal will be able to divert water under the Ellis Ditch rights. Both of the ditches have a full water supply. Ted Hanson, the owner of all of the water rights in the Ellis Ditch, also owns shares in the Island Irrigation Company.

This transfer will also allow Mr. Hanson to move his Island Irrigation shares to the Ellis Ditch. To accomplish this, the Island Irrigation place of use service area is being adjusted to include the Ellis Ditch delivery area. Ultimately, the transfers allow the two ditches to be accounted for as a common diversion. The Ellis Ditch will be limited to maximum diversion rate of 13 cfs under the Island Irrigation water rights.

Authority to File:

The applicant is the current owner of water rights per IDWR record and Jefferson County taxlot data. Ted Hanson (Ellis Ditch) and Richard Sheppard (president of Island Irrigation Co.) signed the application.

Water Right Validity:

Water District 01 records show that the Ellis Ditch and Island Irrigation water rights are delivered every year. Forfeiture is not an issue.

Injury to Other Water Rights:

Because Ellis Ditch water rights are being pooled with Island Irrigation water rights, there is some risk of injury to junior water users. However, Water District 01 records show that the Ellis Ditch and Island Irrigation water rights are generally used to their full extent during the irrigation season. The Ellis Ditch water rights were historically combined with the Bramwell Ditch water rights. During the irrigation season, at times when the Ellis Ditch was off, the Bramwell Ditch diverted water under the Ellis Ditch rights. A recent transfer approval of the Bramwell Ditch rights eliminated the sharing arrangement between the Bramwell and Ellis ditches. Consequently, Mr. Hanson filed this transfer. Because the Ellis Ditch and Island Irrigation rights are generally fully diverted throughout the irrigation season, the possible impact to other water rights is minimized.

Application was advertised and no protests were received. Watermaster does not oppose transfer.

Enlargement of Use:

No additional acres will be irrigated as the result of this transfer. 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.