

MEMORANDUM

Date: December 30, 2021
To: Transfer 85535
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion for water right 15-7244 in the SENESE, Section 2, 15S, 33E. The existing point of diversion is in the SESE, Section 2, 15S, 35E. The proposed point of diversion has been used for several years in connection with the licensed point of diversion to irrigate 67.3 acres. Both points of diversion will continue to be used to irrigate the same acres as described. Currently, there are no recorded water rights authorizing the diversion of water from the proposed point of diversion located in the SENESE, Section 2, 15S, 33E. This transfer is in response to a potential notice of violation sent by the department.

The applicant also requested, that as part of the transfer, the department change the shape of the place of use. No transfer application changing the place of use was required because the proposed shape does not change the acres per QQ as defined on the licensed water right. The shape has been updated in the transfer application tool.

Authority to File:

The applicant is the current owner of the water right per IDWR record and owner of the property at the proposed point of diversion per Oneida County parcel data (updated 4/21/2020).

Water Right Validity:

Water right 15-7244 was licensed on 3/26/2015. In review of aerial photography available to the department and of water right backfiles, there is no clear and convincing evidence showing that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

This transfer was advertised and there are no protests. The water master does not oppose the application.

Enlargement of Use:

The proposed point of diversion has been used in combination with the licensed point of diversion and both diversions are limited to the total of 0.86 cfs as described on the water right. The approval of this transfer will not result in an enlargement of a water right.

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.