

MEMORANDUM

Date: September 24, 2021
To: Transfer 85090
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion on two Lake Creek rights and two Salmon River rights to draw directly from the Salmon River adjacent to the place of use downstream from their current point of diversion and down stream of the confluence of Lake Creek and the Salmon River. .

Right 75-14870 incorrectly had 27 irrigation acres associated with its 0.07 cfs diversion rate. The parent right 75-14629 was decreed in 2010 with 0.56 cfs for 26.7 acres. 75-14870 was split from 75-14629 in a 2017 ownership change but no records indicate the before and after values. An ownership change for 75-14629 in 2018 included before split values of 0.49 cfs and 23.7 POU total acres. The difference in the place of use legal description between the 2010 decree and the 2018 ownership change was used to correct 75-14870 to 3 acres.

Authority to File:

The applicant, TWJ Properties LLP, is the owner of the water rights and property at the place of use and proposed point of diversion. Tim Jackson signed the application as the authorized agent. According to an annual report filed with the Idaho Secretary of State Office June 4, 2021, Mr. Jackson is a partner of TWJ Properties LLP. The applicant is the proper owner of the water rights and has authority to file the transfer.

Water Right Validity:

Rights 75-14871 and 75-14902 were decreed in the SRBA in 2008 while rights 75-14870 and 75-14901 were decreed in 2010. Satellite imagery shows early season irrigation in 2014, 2017 and irrigation of part of the place of use in 2021. Forfeiture is not an issue.

Injury to Other Water Rights:

Removing the Lake Creek and Salmon River rights from the ditch that delivers them to the place of use could potentially cause injury to other rights due to conveyance losses. The applicant claims that they are the only users of the ditch and therefore no other users will be impacted. The applicant has collected signatures from neighbors Yvonne and Robert Deleski and Gary and Linda Leszinger, stating that they do not oppose this transfer.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer.

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.