

MEMORANDUM

Date: August 2, 2021
To: Transfer 85023
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for water right 74-15935. The water right authorizes 0.6 acres of irrigation. The point of diversion will change from the L-21 Ditch on the Lemhi River to the L-22 Ditch. The right is so small (0.02 cfs), the change is unlikely to have any impact on either ditch.

Authority to File:

The applicant is the current water right owner of record. Lemhi County tax lot data shows the applicant as the current owner of the current and proposed place of use.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2007. Review of 2009, 2013, 2015, and 2019 aerial photography shows growing vegetation on the current place of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. Removing 0.02 cfs from the L-21 Ditch will have no impact on the operation of the ditch. The L-22 Ditch is a carrying ditch only. The ditch company does not own any water rights. The applicants, Schlabach, have already spoken with some of the water users on the L-22 Ditch and they do not object to the change. The transfer was advertised without protest. The Water Master was notified and did not provide a comment.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither rate nor irrigated acreage will increase as a result of the transfer. There are no overlapping water rights on the proposed place of use.

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.