

MEMORANDUM

Date: June 10, 2021
To: Transfer 84923
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the places of use for overlapping surface and ground water rights, to reflect current irrigation practices. The transfer will create a permissible place of use for surface water rights 34-367B, 34-569F, 34-684C and 34-685C. The place of use for ground water rights 34-4070 and 34-2269 will be adjusted to reflect the current irrigation configuration. Ground water rights will not be combined. Points of diversion will not change for any of the rights.

Authority to File:

The applicants are the current water right owners of record. Custer County taxlot data shows the applicants as the owners of the current and proposed place of use.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2001. Review of 2004, 2009, 2013, 2017, 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, the 154 acres are simply being rearranged. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. The water master was notified and did not oppose approval of this application. Since it is clear that the proposed change will not adversely impact other water rights, this application did not require public notice.

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. The Big Lost River rights included in the transfer bear individual acre limits that are smaller than the proposed place of use. To prevent enlargement of the Big Lost River rights, the rights will be limited to specific acres within the permissible place of use. All of the irrigated acres in the permissible place of use (154 acres) are covered by ground water rights.

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.