

MEMORANDUM

Date: December 16, 2020
To: Transfer 84576
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use and the point of diversion for water right 21-10568, to correct an error made in the SRBA. The partial decree for water right 21-10568 described the POD and POU in NENE, Section 26, T15N, R43E, but included a condition noting that the right was associated with Lot 5, Block 2 of the Sawtell Recreation Area. Lot 5, Block 2 is actually located in NENE, Section 27, T15N, R43E. The transfer will correct the section number. No physical change is proposed.

Authority to File:

The applicant is the current water right owner of record. Fremont County taxlot data shows the applicant as the current owner of the place of use.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 1999. There is no evidence available to IDWR that would indicate five consecutive years of nonuse. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. There will be no physical change to either the point of diversion or place of use. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume will 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.