

MEMORANDUM

Date: September 17, 2020
To: Transfer 84188
From: Scott Stosich
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 2 acre portion of water right 29-11732. The proposed point of diversion and place of use are located approximately eight miles downstream on the Portneuf River.

Authority to File:

The applicants, Jake and Amber Richards, are the property owners at the proposed place of use and point of diversion. A signed purchase and sale agreement was submitted with the application, reflecting the agreement to purchase 2 acres of water right 29-11732, from the current water right owners on record, James and Carol Guthrie. The water right ownership of the split acres will be updated once the transfer is approved. Application was signed by attorney Randy Budge.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2004. Review of 2009, 2013 and 2017 aerial photography shows growing vegetation at the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed changes. The place of use and point of diversion will change for the 2-acre split portion of water right 29-11732 as a result of the transfer, but the proposed point of diversion is moving downstream from the current point of diversion and the quantity authorized to be diverted will not increase as a result of the transfer. There are no known issues of water availability on the Portneuf River between the existing and proposed points of diversion. The transfer was advertised and no protest were received. The watermaster for water district 29D was contacted but did not provide comment.

Enlargement of Use:

The proposed changes will not result in enlargement because neither the rate, volume nor irrigated acreage will increase as a result of the transfer. The overlapping water right, 29-12265, will be reduced by the same amount as the water right included in the transfer, which will prevent any enlargement. The acres that are being transferred will be dried up.

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.