

MEMORANDUM

Date: February 26, 2020
To: Transfer 83901
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water right 29-4328. Applicant, Lish, recently purchased a portion of the land covered by water right 29-4328. The deed from the previous owner to Lish specified what portion of water right 29-4328 was conveyed to Lish. Application proposes to move Lish's portion entirely onto Lish's property.

Authority to File:

Water right was recently split through an ownership change. Lish has demonstrated ownership of the remaining portion of water right 29-4238. Lish owns the property at the proposed place of use. Water right ownership will be updated as part of the transfer approval.

Water Right Validity:

Water right 29-4328 was decreed in the SRBA in 2004. According to the 2015 and 2017 aerial photos, at least 60 acres have been irrigated at the existing place of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No issues identified. Transfer was not advertised since there is no change to the point of diversion and likely no hydrologic impact. The water master of water district 29H received a copy of the transfer and did not provide comment.

Enlargement of Use:

The proposed change will not result in an increase in any of the elements of the water right. The water right includes a condition stating that the right is combined with water from Portneuf Marsh Valley Canal Company, to ensure the mitigation of future enlargement. Proposed place of use is covered by shares from PMVCC. Enlargement does not appear to be an issue.

Local Public interest:

No issue identified.

Beneficial Use/Conservation of Water Resources:

No issue 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.