

MEMORANDUM

Date: April 30, 2019
To: Transfer 83201
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange the place of use for water rights 74-15720 and 74-15721. These rights, in combination, are used to irrigate 250.6 acres. The place of use for associated water right 77-15201, diverted from Lee Creek, is located entirely within the 250.6-acre place of use for water rights 74-15720 and 74-15721.

Authority to File: Applicants, Steven and Susan Johnson, filed an ownership change for all of these rights at the same time as this application. Applicants have demonstrated ownership of the existing and proposed places of use.

Water Right Validity: Water rights were decreed in 2011. Property has been consistently irrigated since that time.

Injury to Other Water Rights: No issues identified. Application does not propose to change the point of diversion. Place of use is being rearranged to cover a pivot which was installed many years ago.

Enlargement of Use: No issues identified. Combined acre limit will be added to the rights. Lee Creek water right 74-15201 irrigates 17 acres which are located within the proposed 250.6-acre place of use. Water right 74-15201 added to transfer as an associated right to incorporate combined acreage limit.

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.

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Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.