

MEMORANDUM

Date: December 4, 2017
To: Transfer 81921
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for WR 29-7204. The applicants are seeking to shift the area covered by the water right to the north, on their property.

Authority to File:

The applicants, Lawrence and Julie Nestor, both signed the transfer application and are the current owners of the water right per IDWR records. According to the Warranty Deed provided with the transfer application, the applicants are the owners of the property. The Nestors acquired the property in Aug. 2017. Ownership change was completed Sept. 2017.

Water Right Validity:

The water right was decreed 03/22/2004. Land at existing place of use has been actively cultivated, but there is no evidence of irrigation. Water right 29-7204 is the most junior right on Spider Creek with nearly 3 cfs of more senior rights on the creek. Water right 29-7204 would only be available during short windows each year, if at all. Forfeiture is not an issue.

Injury to Other Water Rights:

This is a change to place of use only; no change to the point of diversion is being made. The rearrangement of the irrigated area does not present any injury to other water rights.

Enlargement of Use:

The total number of acres irrigated is not being changed, and there is no proposed change to the diversion rate or the volume of water used. The irrigated area is just being rearranged. No issues of enlargement identified.

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.