

MEMORANDUM

TO: Transfer No. 89455
FROM: Kate Englund
DATE: 12/10/2024
RE: Evaluation of Application

The purpose of this transfer is to correct the legal description of the place of use and point of diversion. Water right 63-15509 was recorded to outline the entire NENE $\frac{1}{4}$ $\frac{1}{4}$ of 03N 02E although the historic place of use is a 0.15 acre parcel in SENE 03N 02E. The place of use is on a parcel that borders the NENE $\frac{1}{4}$ $\frac{1}{4}$ and there was an error while recording the legal description when the water right was decreed. No other changes to the water right will be changed.

Summary of Information Submitted

Authority to File:

The applicant for transfer 89455, Catherine Ogden, is the owner of water right 63-15509 as well as the landowner of the place of use and point of diversion.

Water Right Validity:

The partial decree for water rights no. 63-15509 was issued on 12/30/1999. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, Landsat images, google earth images, or other evidence.

Injury to Other Water Rights:

No injury to other water rights will occur.

Enlargement of Use:

No enlargement of use by water right 63-15509 will occur.

Local Public Interest:

This application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Water Right Overlap

Water right 63-15509 place of use and point of diversion lies within the bounds of over 100 municipal or irrigation water rights exist through large irrigation entities or the city of Boise or Viola Water Idaho Inc. Water right 63-15509 place of use does not interfere with any of these water rights.

Discussion

The POU shape of water right no. 63-15509 will be updated from the generic QQ to a more specific shape based on the map of historic use provided. The POD will also be updated.

If approved the following changes should be made to the conditions of water right no. 63-15509

- Update condition C18 to T19.
- Add standard transfer conditions T07 and T08

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.