

MEMORANDUM

Date: December 27, 2024
To: Transfer 89439
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the nature of use, period of use, and place of use for two small irrigation rights. The proposed nature of use is for aesthetic and recreation storage in an existing pond served by existing waste water / ground water right 74-15964.

Authority to File: The applicant, Mark Norem, co-owns the water rights involved in this transfer with Sonya Norem. Lemhi County parcel records show Gordon Stephenson as the owner of the proposed place of use. A recorded deed from Mark and Sonya Norem conveying water rights 74-15494 and 74-2187D to Gordon and Mary Stephenson was attached to the application. The applicant has authority to make the change requested in this transfer, and the proposed owners own the proposed place of use. The point of diversion is located on land owned by Chad Zens and will not change. The point of diversion is the historical ditch that has conveyed the water rights since they were first established.

Water Right Validity: Water right 74-2187D was decreed by the SRBA court on 1/22/2009 and water right 74-15494 was decreed on 10/21/2008. Imagery shows consistent irrigation of the existing place of use.

Injury to Other Water Rights: This application was not protested. The point of diversion will not change as a result of this transfer. No injury issues identified.

Enlargement of Use: The priority date of water right 74-2187D is 09/21/1915. The watermaster was contacted to help determine whether this right has been historically deliverable. The watermaster noted that in recent years, 1915 priority date rights in the Lemhi River basin were curtailed every year in the past five years. The watermaster estimated that a 1915 Lemhi River right is curtailed for half of the irrigation season in a normal water year. Therefore, the historical consumptive use for water right 74-2187D was calculated as 0.4 acre feet to reflect 0.25 acres of turfgrass irrigated for half of the irrigation season.

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.