

MEMORANDUM

Date: January 31, 2024
To: Transfer 87995
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use and point of diversion of a 5.5 acre portion of water rights 22-13797 and 22-13958. The new water right numbers assigned to the split portions are 25-14532 and 25-14533.

Authority to File:

The applicant provided a contract of sale agreement that shows conveyance of the water rights, pending approval of this transfer. Jefferson County tax lot data shows the applicant as the owner of the proposed place of use. The applicant has authority to make the change.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2010. These rights were approved in transfer no. 86273 in 2022. Based on department records, forfeiture is not an issue.

Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. The quantity authorized to be diverted will not change as a result of this transfer. The water master was notified and did not oppose the approval of this transfer. The ESPA Model was used and did not require mitigation. The transfer was advertised and was protested by the City of Rexburg, then withdrawn based on an agreement the applicant has with the City of Rexburg.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of this transfer.

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.