

MEMORANDUM

Date: February 8, 2024
To: Transfer 88403
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion for water right 75-4324, to a location just downstream of the confluence of the North Fork Salmon River with the Salmon River.

Authority to File:

The applicants, George and Tammie Ambrose, are the current owners of record for water right 75-4324. The existing place of use for the right overlaps three parcels that are separately owned by Brian Walter Martinez, North Fork Company LLC and Prospect Legacy Trust. The applicants provided documents showing that they own North Fork Company LLC and Prospect Legacy Trust. Brian Walter Martinez emailed the department with a statement that gave his approval of the change. The applicant has authority to make the change.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2009. Review of 2011, 2015, 2019 and 2021 aerial photography shows growing vegetation on only seven acres of the ten irrigated acres authorized the right. The remaining acres have been hardened with parking lots, roads, or buildings for at least six years. Therefore, the irrigation element of the right will be reduced to account for this partial forfeiture of irrigated acres.

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 the transfer. The water master was notified and did not provide a comment. The transfer was advertised and protested by John Miller. The protest was withdrawn without requiring additional conditions.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of the transfer. The proposed point of diversion may benefit from the enhanced availability of the Salmon River. Therefore, a condition will be added to this transfer limiting use to when water is available at the original source.

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.