

MEMORANDUM

Date: September 20, 2023
To: Transfer 88522
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

Right 74-843 was decreed with 21 acres in the SWSE of section 29. The current owner of the right recently discovered that about 10 acres of the right in that QQ is located on land belonging to Eagle Valley Ranch. The purpose of this transfer is to rearrange the place of use for right 74-843 so that the entire right is located on the applicant's property.

Authority to File:

The applicant submitted an ownership change earlier this year that was processed on August 10. The ownership change included a copy of the letter mailed to Eagle Valley Ranch in keeping with section 6 of Idaho Code 42-248. Eagle Valley Ranch did not object to the ownership change. The applicant demonstrated sufficient evidence of ownership and is the owner of the proposed place of use. Rita Lee is authorized to sign on behalf of the Estate.

Water Right Validity:

Right 74-843 was decreed in the SRBA in 2010. Aerial imagery shows that most of the current place of use is regularly irrigated. The ten acres located on the Eagle Valley Ranch property does not look farmed, although there is evidence of growing vegetation on about five acres. However, I found about 10 acres on the applicant's property that appear to be irrigated under the current delivery system but are not covered by the current water right POU shape file. Therefore, forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed transfer. The points of diversion are not changing, and the place of use is simply being rearranged in the general vicinity of the current place of use. Only the legal description of the POU will change. Because the transfer will have no hydrologic impact, public notice will not be required.

Enlargement of Use:

The proposed changes will not result in enlargement because the authorized diversion rate and acreage will not increase as a result of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.