

MEMORANDUM

Date: November 28, 2023
To: Transfer 88595
From: Thomas Lafortune
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for water right 29-7799. The applicant is also updating ownership of the water right.

Authority to File: The applicant, Michael Barnes, submitted an ownership change in September 2023 that was not processed because 2.5 acres of the right was still on the previous owner's property. This application proposes to move the 2.5 acres off of the previous owners property and onto the Barnes property. The application was signed by the new property owners, Michael Barnes and Kelly Bregante-Barnes and included a letter of consent from the previous owner Larry Bull. The applicant has the authority to file.

Water Right Validity: Water right 29-7799 was licensed after a field exam in 2001. Aerial imagery shows consistent use of the right since the license was issued. Forfeiture is not a concern.

Injury to Other Water Rights: There was no need to advertise the application because the point of diversion will not change. The Water District 29D watermaster does not oppose approval of this application. Now that the water rights in the lower Portneuf River are regulated against the Snake River priority date, water right 29-7799, with a 1985 priority date, will rarely be available.

Enlargement of Use: The irrigated acres, diversion rate, and volume will remain the same under this right. There is no enlargement.

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.