

MEMORANDUM

Date: February 22, 2024
To: Transfer 88649
From: Thomas Lafortune
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change an 11-acre and 0.22 cfs portion of irrigation right 27-41, owned by Little Butte Irrigation Company, to diversion to storage and recreation storage. The period of use for recreation storage will be year-round.

Authority to File: The applicant, Little Butte Irrigation Company, is the owner of the water right according to Department records. The application was signed by Quinn Stufflebeam, President of the irrigation company. The applicant has authority to file.

Water Right Validity: Water right 27-41 was decreed in the Snake River Basin Adjudication in 2011. Water District 27 records show water has consistently been diverted through Little Butte Canal since the decree. Forfeiture is not an issue.

Injury to Other Water Rights: The transfer application was advertised without protest. Water District 27 watermaster submitted comment opposing the transfer due to concerns that seepage rates may be higher than modeled in the application. After discussion with the applicant and watermaster, we concluded that a condition prohibiting the initial fill or refill of the pond under this right will protect other water rights, or other Little Butte shareholders, from injury.

Enlargement of Use: The applicant's representative, Rocky Mountain Environmental, calculated 11 acres will need to be retired from irrigation to offset the seepage and evaporative losses from the pond. The individual acre limit of right 27-41 and the combined acre limit of all Little Butte Irrigation Co rights within the service boundary will be reduced by this amount. The maximum rate allowed to be diverted through Little Butte Canal will not change. 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.