

MEMORANDUM

Date: January 24, 2024
To: Transfer 88664
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer seeks to change the point of diversion and update ownership of a 2-acre split portion of ground water right 34-2397C. The applicants will divert the right via an existing domestic well.

Authority to File:

Rights 34-62B, 34-738C, and 34-2397C currently share a 75-acre combined place of use. The applicants provided a warranty deed showing ownership of the proposed point of diversion and a 2-acre split portion of the place of use. However, the applicants claim no ownership interest in rights 34-62B and 34-738C, and they agree that these surface water rights can be adjusted to exclude their property. Therefore, stacked rights 34-62B and 34-738C were brought into the transfer as associated rights.

Water Right Validity:

Right no. 34-2397C was decreed in the SRBA in 2001. Review of recent aerial photography shows little evidence of irrigation. However, the right was included in approved transfer 83302 in 2019 and in temporary change TC-34-191, which was authorized in 2021. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights should not be injured by the proposed change. The current and proposed points of diversion are both within the same ESPA model cell, so a model run is not required. The transfer application was advertised and no protests were filed. The watermaster was notified of the application but did not provide comment.

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 the transfer. Right nos. 34-62B and 34-738C will be reduced by 2 acres, and the combined rate and volume for the remainder of the 3 rights will be reduced to prevent enlargement.

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.