

MEMORANDUM

Date: May 2, 2024
To: Transfer 88668
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 1-50C from the Mattson-Craig Canal diversion to the Butler Island Canal diversion.

Authority to File:

An assignment of application for transfer form was submitted during the processing of the transfer. Along with a notice of change in water right ownership, from CJC Farms LLLP to Jason, Lisa, Mike and Connie Ferguson. Deeds were supplied supporting the conveyance of the current place of use. Jefferson County tax lot data shows Jason Ferguson as the owner of the current place of use. The applicant has authority to make the change.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2007. Review of 2017, 2019, 2021 and 2023 aerial photography shows growing vegetation on the current place of use. Forfeiture does not appear to be an issue.

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 oppose the approval of the transfer. The transfer was advertised and received one protest from the Mattson-Craig Canal Company. The primary issue of protest was injury to other right holders on the shared ditch by removing the right from the Mattson-Craig Canal. The protest was settled and withdrawn by a Stipulation for Settlement of Protest, where the applicant agreed to convey a block of storage water to the Mattson-Craig Canal Company.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither rate nor irrigated acreage will increase as a result of the transfer.

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.