

MEMORANDUM

Date: February 29, 2024
To: Transfer 88737
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the ownership, place of use and the point of diversion of water right 25-14263. This right is supplemental to surface water shares from both the Enterprize Canal Company and Farmers Friend Irrigation Company. This transfer proposes to relocate this right out of the service areas of Enterprize and Farmers Friend, to the proposed place of use which is currently served by the Progressive Irrigation District.

Authority to File:

The applicant submitted ownership change documents for the current place of use. Bonneville county tax lot data shows the applicant as the owner of the proposed point of diversion and place of use. The applicant has authority to make the change.

Water Right Validity:

The water right included in this transfer was licensed in 1997. 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. This transfer included a mitigation analysis using the Department's Transfer Tool. The results show that mitigation is not required as long as the applicant foregoes the use of this right during the 2024 irrigation season. The transfer was advertised without protest. The water master for Water District 120 was notified and did not provide a comment.

Enlargement of Use:

No issues identified. The proposed change does not change rate or irrigated acres. Water right 25-14263 is a supplemental ground water right, currently stacked with shares in Enterprize and Farmer's Friend. Progressive Irrigation District rights are more reliable than the rights held by Farmer's Friend and Enterprize. Conditions requiring surface water to be used first will be carried forward on the approval. Therefore, the transfer approval will not result in an enlargement in use of the right.

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.