

MEMORANDUM

Date: March 7, 2024
To: Transfer 88758
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to add a point of diversion to water rights 34-2412C and 34-7184. Water right 34-2412C authorizes two points of diversion. One of the points of diversion is limited to a diversion rate of 1.04 cfs. This point of diversion is shared with water right 34-7184. The applicant proposes to limit the amount of water moved to 1.60 cfs. By doing so, the applicant is able to avoid a transfer tool analysis, because the shared well and the proposed well are in adjacent model cells. The transfer approval will carry forward the 1.60 cfs rate limit on the new well.

Authority to File:

The applicant is the current water right owner of record. Butte County tax lot data shows the applicant as the owners of the proposed point of diversion. The applicant has authority to make the change.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2001. Water right 34-2421C was approved in transfer no. 70998 in 2004. These rights were also approved in temporary changes in 2020, 2021 and 2022. Forfeiture is not 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 this transfer. The applicant proposed to limit the combined maximum diversion rate at the proposed point of diversion and the current point of diversion for water right 34-7184 to 1.6 cfs. The proposed change is within the ESPA model grid boundary and did not require the ESPA model to be performed. The transfer was advertised without protest.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither the rate nor volume nor irrigated acreage will increase as a result of this transfer. The water master was notified and did not oppose the approval of this application if it is conditioned to restrict the increase of acres to prevent enlarging the diversion rate.

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.