

MEMORANDUM

Date: July 31, 2024
To: Transfer 88992
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 75-14294. The applicants propose to divert water from the North Fork Salmon River through a pump station on their property rather than through the existing ditch system.

Authority to File:

The applicants provided ownership documents that show the direct chain of title from one of the current water right owners. Lemhi County tax lot data shows the applicants as the landowner at the proposed point of diversion. The applicants have the authority to make the change.

Water Right Validity:

The right included in this transfer was decreed in 2008. Review of 2009, 2011, 2013, 2015, 2017, 2019, 2021 and 2023 aerial photography shows growing vegetation on 3.7 acres of the current place of use. Water right 75-14294 authorizes 4.5 acres of irrigation. Some of the property has not been irrigated for many years because of buildings, driveways and other hardened surfaces. Therefore, a portion of the right has been lost to forfeiture through non-use. The right will be reduced to 3.7 acres of irrigation but the authorized diversion rate will not change.

Injury to Other Water Rights:

Other rights do not appear to be injured by this proposed change. The point of diversion is simply being moved to the applicant's property downstream from the current point of diversion. Water right 75-14294 is currently delivered through a shared ditch with water right 75-14295. The place of use for water right 75-14295 is at the head of the ditch and will not bear significant ditch losses. Most of the ditch losses were associated with conveying water to the end of the ditch to satisfy water right 75-14294. By moving water right 75-14294 out of the ditch, the ditch losses will decrease considerably. The water master was notified of the proposed change and did not provide a comment. The transfer was advertised without protest.

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 / 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.