

MEMORANDUM

Date: July 17, 2024
To: Transfer 89015
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the point of diversion for water rights 25-14523 and 25-14535. These two rights are diverted through the same irrigation system.

Authority to File:

The applicants, Jana Lynn Hilde, Doug Hilde, and Deborah Hill, have the authority to file. Jana Lynn Hilde is listed as an owner on both water rights along with Doug Hilde on right 25-14535 and Deborah Hill on 25-14523, according to department records. The places of use and the point of diversion were previously owned by Cooper Stanley Max Testamentary Family Trust. In January 2024, the land transferred to the applicants, who filed a ownership changes with the Department. The application was signed by Jana Lynn Hilde and Deborah Hill.

Water Right Validity:

The water rights are valid for transfer. They were decreed in 2005. Review of post decree aerial photography demonstrates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer's approval. The transfer was advertised and no protests were received. The Watermaster of Water District 1 was notified and did not respond. Prior to the transfer, the water rights were delivered through an exchange. Applicants received water from the Snake River through Progressive Irrigation District's (PID) canal. In exchange, Applicant's Willow Creek rights were delivered to PID's headgate on Willow Creek. The Department notified PID of the application at the same time public notice was initiated.

Enlargement of Use:

No enlargement of use will occur from the approval of this transfer. Rate, volume, nor irrigated acres are authorized to increase. Although a pre-transfer condition listed the rights as exchanged through and used within the boundaries of Progressive Irrigation District, the water rights have always been combined with water supplied by the Enterprize Canal Company. As part of this transfer's approval, a condition was added explicitly confirming and continuing this combination.

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.