

MEMORANDUM

Date: June 26, 2024
To: Transfer 89017
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use to a 4.7-acre portion of water right 31-12321 and combine it with water rights 31-12233, 31-12235, and 31-12237 to create a 35.0-acre combined place of use. Joe and Nicole Slagowski filed transfer 89014 seeking to move 6.0 acres from water right 31-12235 to their property where they will irrigate a pasture. This transfer will replace 4.7 acres of the 6.0 acres. Prior to 2023, 36.3 acres were irrigated under pivot 5 (proposed place of use). At the end of 2022 the applicants replace the endgun with a sprayer which resulted in less acres being irrigated. The total number of acres that can be irrigated under pivot 5 is 35.0 acres. An existing well associated with water rights 31-12233, 31-12235, and 31-12237 will be utilized.

Authority to File:

Spencer and Kami Brown are the current owners of water rights 31-12321 and 31-12237 per IDWR record. They are also the current owners of water rights 31-12233 and 31-12235 per water right conveyance document. The ownership to water rights 31-12233 and 31-12235 will be updated through this transfer. Sid and Jan Brown are the owners of the property at the proposed point of diversion and proposed place of use.

Water Right Validity:

Water rights were decreed through the SRBA in 2002. Aerial photography shows the land under pivot 5 consistently irrigated. The 4.7-acre portion of water right 31-12321 is currently associated with a pasture locate on Spencer and Kami Browns property. Using aerial photography, the 4.7 acres have been marginally irrigated. The applicants provided a notarized affidavit from their neighbor John M. Spencer asserting that he has witnessed the 4.7 acres being irrigated during the 2021 and 2022 irrigation season. At this time forfeiture in not an issue.

Injury to Other Water Rights:

Water rights are within the ESPA GWMA and regulated by WD 110. ESPA analysis shows impacts to the ESPA river reaches do not exceed 2.0 af/tri. This transfer was advertised and there are no protests. The watermaster does not oppose the application.

Enlargement of Use:

No enlargement issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.