

MEMORANDUM

Date: September 16, 2024
To: Transfer 89166
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 34-13844. This transfer is proposing to relocate the point of diversion to an existing well on the applicant's property. Water right 34-13844 was recently split through an ownership change.

Authority to File:

The applicants are the current water right owners of record. Butte County tax lot data shows the applicants as the owners of the place of use and the proposed point of diversion. The applicants have authority to make the change.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2001. This right was changed through Transfer 71524 in 2005. Review of 2017 and 2019 aerial photography shows growing vegetation on the place of use. A home, driveway and outbuildings have been constructed on the property, reducing the number of irrigable acres. These changes have occurred in the last five years, however, so the hardened acres have not yet been lost through non-use.

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 ESPA Model was not required for this change because the point of diversion is moving within the same cell of the ESPA Model Grid. The water master was notified 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 volume nor irrigated acreage will increase as a result of the transfer.

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.