

MEMORANDUM

Date: September 16, 2024
To: Transfer 89215
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 no. 75-14362. This transfer will clarify the legal description of the point of diversion, no physical change is taking place.

Authority to File:

The applicant of this transfer is Colsovich Family Trust, who is a water right owner of record. Lemhi County parcel data shows the Harrison Family Trust as the owner of the land at the proposed point of diversion. Historically this water right has been diverted from the proposed point of diversion, and a verbal agreement is in place for the use of the diversion and ditch systems. The applicant has authority to make the change.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2008. Review of aerial photography shows a pond at the place of use. Aerial photography also shows a ditch system that is visible from the proposed point of diversion to the pond. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change, the legal description of the point of diversion is simply being clarified. The quantity authorized to be diverted will not change as a result of this transfer. The water master was notified and did not provide a comment. The transfer was advertised without protest.

During a phone conversation with the applicant, in regard to the Idaho Department of Fish and Game's (IDFG) direct notice response, they described their plans to install a measuring device a few feet away from the fish screen. They stated, "We are not using the fish screen as a measuring device and our measuring device will not be directly attached to the fish screen." This phone conversation resolved the IDFG direct notice response's concern.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume 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.