

## MEMORANDUM

**Date:** September 6, 2023  
**To:** Transfer 88007  
**From:** Jake Nebeker  
**Re:** Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use and point of diversion for a 5-acre portion of water right 29-11813.

### Authority to File:

Ownership documents were submitted with this transfer that show the conveyance of water rights to the applicant. Bannock County tax lot data shows the applicant as the landowner for the place of use, point of diversion and the diversion system. The applicant has authority to make the change.

### Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2004. Water right 29-11813 was approved in transfer No. 86889 in early 2023. Forfeiture is not an issue.

### Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. The quantity of water diverted will not change as a result of this transfer. The Water Master was notified of the change and did not oppose the approval of this transfer. 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 this transfer. The proposed place of use is overlapped by two irrigation rights from Indian Creek combined use limits are being used to avoid enlargement. A volume was added to avoid enlargement and a totalizing meter condition added to aid in administration.

### Local Public interest:

No issues identified.

### 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.