

MEMORANDUM

Date: August 31, 2023
To: Transfer 88252
From: Thomas Lafortune
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and update ownership for water right 35-2427A. The applicant acquired the water right in 2015 and tied it into his existing irrigation system (right 35-2427). The place of use is also being rearranged within the same quarter-quarter.

Authority to File: The applicants, R. Kim and Patricia Wolfley, provided conveyance documents back to the previous water right owner on record, James and Melodie Halstead. About a 0.3-acre portion of the right was located on property now owned by Troy and Chelsie Vance prior to the rearrangement of acres proposed in this transfer. The Vance parcel was previously owned by the applicant. The water right was not withheld in the sale, but the applicant did send notice of the proposed changes to Vance, provide acknowledgement of the changes signed by the Vances, and the Department sent direct notice to Vance.

Water Right Validity: Water right 35-2427A was decreed in the SRBA in 2002. Aerial imagery does not show any 5 year periods of non-use since the decree. Forfeiture is not an issue.

Injury to Other Water Rights: This application was advertised without protest. The right is included in Water District 120. The watermaster does not oppose the approval of this transfer. The right will be measured at the new point of diversion, WMIS point 500475. The application does propose a change in point of diversion on the ESPA, but a model run was not required because the points are in adjacent cells. There is no evidence of injury to other water rights.

Enlargement of Use: No elements of the water right will change besides the point of diversion. Enlargement is not an issue.

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.