

MEMORANDUM

Date: March 3, 2025
To: Transfer 89613
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for water rights 21-13269 and 21-13270 to cover the irrigation at a developed RV Park. The two rights will be combined to irrigate six acres within a 23.5-acre permissible place of use. The proposed place of use better reflects the current irrigation footprint at the RV Park.

Authority to File:

The applicant provided evidence of a business entity name change that occurred in 2024, from Alpenglou Red Rock LLC to ORR Red Rock LLC. Fremont County parcel data shows the applicant as the owner of the proposed place of use. The applicant has the authority to make the change.

Water Right Validity:

The rights included in this transfer was decreed in the SRBA in 2002. Water right 21-13270 was moved to the property in Transfer 82525, approved in 2019. Water right 21-13269 was moved to the property in Transfer 83237, approved in 2019. Review of 2004, 2009, 2015, 2019 and 2023 aerial photography shows growing vegetation on the current and proposed place of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. The place of use is simply being rearranged in close proximity to the current place of use. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since this right is not within a water district, no water master was contacted. Since it is clear that the proposed change will have not hydrologic impact and will not affect the rights of other water users, this application will not require public notice.

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. The place of use for the transferred rights are simply being rearranged.

Water rights 21-13269 and 21-13270 are both split portions of the same original water right, 35-2568. The original right diverted water from the ESPA and bore a season of use of 4/1-10/31. The standard season of use at the existing place of use for water rights 21-13269 and 21-13270, near Henrys Lake Reservoir, is shorter and only runs from 5/1-10/31. The season of use for water right 21-13270 was properly updated in Transfer 82525. The season of use for water right 21-13269 was not updated in Transfer 83237. The season of use for water right 21-13269 will be updated in this transfer to 5/1-10/31 to match water right 21-13270 and to be consistent with the standard irrigation season of use.

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.