

MEMORANDUM

TO: Transfer No. 89473
FROM: Kate Englund
DATE: January 23, 2025
RE: Evaluation of Application

The purpose of this transfer is to add a point of diversion to WR 63-23443. The diversion system will include a new water line added to the cistner with four points of access and a second point back up to accommodate a measuring device and lockable controlling works.

The place of use and two points of diversion for WR 63-23443 are located within the NWSE $\frac{1}{4}$ $\frac{1}{4}$ section 12 of 08N 05W.

Summary of Information Submitted

Authority to File:

The applicant, Jermone Goettsch, is the primary owner of the parcel where the proposed well is expected to be located. The transfer application was submitted by Jermone Goettsch with Marsters Subdivision, the current recorded owner of WR 65-23443.

Water Right Validity:

Water right no. 65-23443 appears to be valid as three of the four proposed domestic homes have been developed. 2023 satellite imagery shows structure construction alongside a camper parked nearby. This indicates developed domestic use for the fourth parcel within the place of use. No municipal water rights overlap the place of use for Marsters Subdivision.

Injury to Other Water Rights:

No injury to other water rights are anticipated should this transfer be approved.

Enlargement of Use:

Enlargement is not anticipated as a result of this transfer, considering the transfer does not propose an increase in rate of diversion or place of use.

Local Public Interest:

The proposed transfer is not anticipated to cause issues pertaining to water quality, fish/wildlife resources, or impact land use requirements on non-private land. For these reasons this application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The applicant proposes a second well to improve efficiency to the delivery system. The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Water Right Overlap

There are ten water rights held by Lower Payette Ditch Company which the place of use for WR 65-23443 overlaps. Water rights 65-21447, 65-6430, and 65-6538 are located within NWSE $\frac{1}{4}$ $\frac{1}{4}$ section 12 of 08N 05W and have the 40 acre quarter outlined as the place of use. It is likely that these water rights do not overlap as parcel names within the place of use for 65-23443 differ from the owner names of the above listed water rights. These rights do not share a point of diversion.

Discussion

The proposed transfer would provide efficiency to the delivery system for the four domestic households. The proposed well is located between multiple households and can improve efficiency of the system if added to water right 65-23443. The shape of the second point of diversion has been updated.

If approved the following changes should be made to the conditions of water right no. 65-23443.

- Add standard transfer conditions T07 and T08

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.