

MEMORANDUM

Date: September 10, 2025
To: Transfer 89753
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and add points of diversions to irrigation water right 34-517. Acres will be evenly distributed between 5 quarter-quarter lots and a point of diversion will be authorized for each lot in anticipation of selling the lots to separate owners.

Authority to File: Jeremy and Barbara Wilmot are the owners of record for water right 34-517. Jeremy Wilmot is the owner of the current and proposed place of use according to Butte County parcel data. The application was signed by Jeremy Wilmot. Barbara Wilmot provided a letter consenting to the transfer.

Water Right Validity: Water right 34-517 was decreed by the SRBA court on 2/17/2002. Review of aerial imagery at the place of use shows growing vegetation. Due to its priority date, this right is frequently curtailed and is rarely available. No forfeiture issues identified.

Injury to Other Water Rights: The transfer was advertised without protest. The watermaster was notified and did not provide comment. There are no points of diversion on Dry Fork Creek in the vicinity of the proposed points of diversion. No injury issues identified.

Enlargement of Use: This transfer will not increase irrigated acreage or authorized diversion rate. The shapefile for water right 34-14964 appears to overlap approximately 8 acres of the current place of use for right 34-517 in NESE Sec 20. The proposed place of use for right 34-517 overlaps 40 acres of right 34-14964, so the place of use for right 34-14964 is being stacked with right 34-517, which would theoretically decrease utilization of right 34-517. A condition limiting right 34-14964 (113 acres) and right 34-517 (68 acres) to the irrigation of 141 acres was added to reflect the 40 acres that would overlap at the proposed place of use.

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.