

MEMORANDUM

Date: July 11, 2022
To: Transfer 86317
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the combined place of use for water rights 35-2222, 35-7861C and 35-13277. These rights are combined over a 263-acre irrigation place of use. The transfer is needed to reflect changes made to the irrigation system over time.

Authority to File:

The applicants are the current owner of the water rights per IDWR record and the owners of the property at the proposed place of use per Bingham County taxlot data (8/19/2021). Water rights are owned by Kenneth G & Kaye C Nickell, the property is owned by Rising River Properties LLC. Kenneth G Nickell owns Rising River Properties LLC. Ownership will be updated at some point in the future.

Water Right Validity:

The water rights were decreed in 2002. In review of aerial photography available to the department there is no clear and convincing evidence showing that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

Injury to other rights will not result from the proposed changes. The rate, volume, and irrigated acres will remain the same. These rights are regulated by WD 120 and the watermaster does not oppose the proposed changes.

Enlargement of Use:

The approval of this transfer will not result in an enlargement of a water right. Irrigated acres are simply being rearranged to reflect the current irrigation system layout.

Local Public interest:

No issue identified.

Beneficial Use/Conservation of Water Resources:

No issue 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.