

MEMORANDUM

Date: January 14, 2022
To: Transfer 85469
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes creating a 428-acre combined place of use for water rights 35-4214 and 35-2265, and split portions of rights 35-12656A, 35-13716, 35-13718, 35-2153C, 35-2329, 35-2330 and 35-7082. The point of diversion is changed for the split portions of the seven rights listed previously to the point of diversion currently listed on rights 35-4214 and 35-2265. A change of ownership is accomplished for rights 35-4214 and 35-2265 as part of this application.

Authority to File:

The transfer applicant is Farms LLC; the application was signed by Brad Hall who is registered as a manager of the LLC. The property at the current and proposed places of use are owned by Farms LLC according to Bingham County parcel data. Rights 35-4214 and 35-2265 are currently in the ownership of Douglas and Jeannette Phillips; however, a Warranty Deed included with the application demonstrates conveyance of the property and water rights to Farms LLC. All other rights being transferred are currently owned by Farms LLC per IDWR records.

Water Right Validity:

Water rights 35-12656A, 35-13716, 35-13718, 35-2153C, 35-2329, 35-2330 and 35-7082 were part of Transfer 84583, which was approved 3/29/2021. Rights 35-4214 and 35-2265 were part of Transfer 80755, which was approved 5/12/2016. Further, review of aerial imagery does not clearly demonstrate any 5-year period on non-use for any of these rights. No issues identified.

Injury to Other Water Rights:

The proposed point of diversion is an existing well and is not located near any other existing production wells. The application was not protested, and the watermaster does not oppose approval of the transfer. The result of ESPA Modeling provided with the application indicated no mitigation requirements. No issues identified.

Enlargement of Use:

Approval of this transfer does not result in an increase to diversion rate, total volume or total irrigated acres covered by these water rights. No issues of enlargement identified.

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.