

MEMORANDUM

Date: November 12, 2021
To: Transfer 85421
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for water right 22-7032. Applicant proposes to rearrange the place of use to irrigate 24.1 acres that are currently irrigating with shares in Rexburg irrigation company. The shares will be moved to cover the acres that are dried up under this transfer. In other words, the applicant is swapping water rights for the 24.1 acres.

Authority to File:

The applicant is the current water right owner of record. A portion of the current and proposed place of use is owned by Bench Farms LLLP. The Idaho Secretary of State website shows the applicant as the owner of Bench Farms LLLP. The applicant has authority to make the change.

Water Right Validity:

The right involved in this transfer was decreed in the SRBA in 2012. Review of 2013, 2015, and 2019 aerial photography shows growing vegetation on the current 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. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. The water master was notified and did not oppose the approval of this transfer.

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.

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.