

MEMORANDUM

Date: February 24, 2021
To: Transfer 84628
From: Michelle Watts
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the points of diversion to a single new location where a well will be drilled and an irrigation system installed for water rights 35-14453 and 35-14454.

Authority to File:

Rights 35-14453 and 35-14454 are split child rights from transfer no. 80764 in 2016. Parent rights 35-13609 and 35-7246M underwent a change in ownership to William and Joanne Toevs in 2013. According to Bingham County Parcel data, William and Joanne Toevs are the property owners of the place of use and the proposed new point of diversion. The applicants have the authority to make the changes.

Water Right Validity:

Rights 35-14453 and 35-14454 are split child rights from transfer no. 80764 in 2016. The rights were then leased through the Water Supply Bank from 2017 to 2019. William Toevs has notified the bank that they do not intend to proceed with leases this year and the Water Supply Bank Program Coordinator has confirmed that there should be no issue with approving the transfers and the right holders using the transferred portions this year. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be injured by the proposed change. Rights 35-14453 and 35-14454 are currently within the ESPA boundary but the proposed new point of diversion is in the same cell as the current points of diversion. Therefore, no ESPA mitigation model will be required for the transfer. The transfer was advertised, and no protests were received. The proposed changes have been reviewed by the watermaster of WD 120, in which he does not oppose the approval of the application.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy of the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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 this application.