

MEMORANDUM

Date: September 22, 2020
To: Transfer 84290
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water right 35-14475. Water right 35-14475 was created through an ownership change (split of water right 35-7271) in 2016. This transfer changes the point of diversion from the ground water well described in water right 35-7271 to a well located within the place of use for right 35-14475.

Authority to File:

The applicant is the current water right owner of record. Bingham county taxlot records show that the applicant is the property owner of the current place of use and at the proposed point of diversion.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2002. Review of 2015, 2017, 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 water rights will not be injured by the proposed change. Neither the place of use nor the quantity authorized to be diverted will change as a result of the transfer. The point of diversion is moving from an adjacent property to the owner's property, which is in the same ESPA model cell, and therefore does not require an ESPA transfer tool analysis. The watermaster does not oppose approval of this application. This application was advertised and no protests were received.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor irrigated acreage will increase as a result of the transfer. Application 35-7271 described 5 shares in Aberdeen Springfield Canal Company. Water right 35-7271 included a condition describing the overlap with ASCC shares. Inskeep confirmed that the 5 shares are associated with his property. Therefore, the condition describing the ASCC shares will be carried forward on the transfer approval. Enlargement does not appear to be an issue.

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.