

MEMORANDUM

Date: January 23, 2020
To: Transfer 83810
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use, point of diversion, and add points of diversion for an 18.5 acre portion of water rights 35-2837B and 35-7088. This 18.5 acres will be combined with water rights 35-2837A, 35-2836, and 35-2838 to create a 468.5-acre combined place of use. The transfer addresses and covers 35 acres of land being irrigated without a valid water right. The season of use for the transferred portion of water right 35-7088 will be changed from 3/01 - 11/30 to 4/01 - 10/31 to reflect the recognized irrigation season of use for the area. The proposed points of diversion existing wells, regulated by WD120.

Authority to File:

Thompson Brothers LLC is the current owner of the water rights per IDWR record and owner of the property at the proposed points of diversion and place of use per Bingham County tax lot data (updated 9/9/2019).

Water Right Validity:

Water rights in this transfer were decreed in 2002. Review of aerial photography available to the department showed no clear and convincing evidence that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

Water rights are within the ESPA and are regulated by WD 120. The current points of diversion and proposed points of diversion are within adjacent ESPA Model cells; no ESPA analysis is required. The watermaster does not oppose this transfer. This transfer was advertised and there are no protests.

Enlargement of Use:

The approval of this transfer will not result in an enlargement of water right.

Local Public Interest:

No issues have been identified.

Beneficial Use/Conservation of Water Resources:

No issues have been 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.