

MEMORANDUM

Date: January 15, 2019
To: Transfer 82871
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and the point of diversion for a 33.0 acre portion of water rights 35-14349 and 35-14350. The split portions, becoming water rights 35-14622 and 35-14623, are being combined with water right 35-7019 to create a 144.0 acre combined place of use. The applicants seeks to cover 33.0 acres in the NESE of Section 22, 04S, 31E that was being irrigated w/out a ground water right. The 144.0 acre place of use will also be irrigated with surface water from Aberdeen Springfield Canal Co. shares.

Associated water right 35-14351 was also updated through transfer 82871. Conditions for this water right were updated based on changes made to water rights 35-14349 and 35-14350.

Authority to File:

The applicants are the current owners of the water rights per IDWR record and the owners of the property at the proposed point of diversion and proposed place of use per Bingham County tax lot data (updated 6/28/2017). The transfer application was signed by both Val and Lori Wahlen.

Water Right Validity:

Water right 35-7019 was decreed in 2002, water right 35-14349 was decreed in 2000, and water right 35-14350 was decreed in 2012. Review of aerial photography available to the department show no clear and convincing evidence that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

These water rights are within the ESPA and regulated by WD 120. The current and proposed points of diversion are within adjacent ESPA model cells. No ESPA analysis was required. This transfer was advertised and there are no protests. The water master does not oppose the application.

Enlargement of Use:

Water rights will continue to be used in conjunction with Aberdeen Springfield Canal Co. shares. No enlargement of water right will result from the approval of this transfer.

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.