

MEMORANDUM

Date: October 16, 2017
To: Transfer 81961
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water rights 35-2218 and 35-10442. The applicants are seeking to rearrange the place of use to cover land being irrigated by ground water without a ground water right. The applicants filed this transfer in response to a unauthorized water use letter sent in January, 2017. The point of diversion will remain the same.

Authority to File:

The applicants are the current owners of water rights per IDWR record and owner of the property at the place of use per Bingham County taxlot data (updated June, 2017). TJ Budge who is the applicant's attorney signed the application.

Water Right Validity:

Water rights were decreed in the SRBA in 2002. Aerial photography shows land consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

These water rights are with the ESPA model boundary and are regulated by WD 120. The points of diversion will remain the same. No injury issues identified. This transfer will be processed with no advertisement.

Enlargement of Use:

Water rights 35-2218 and 35-10442 carry the supplemental water use conditions. These water rights overlap a portion of Aberdeen Springfield's service boundary. This transfer proposes to change the place of use to cover a mini pivot that is not covered by a water right. The mini pivot is located outside of Aberdeen Springfield's service boundary. After reviewing the Departments recommendation shapefile that delineates Aberdeen Springfield's irrigated acres it was found that the acres being changed to cover the mini pivot were only covered by the applicant's ground water rights. Changing the place of use to cover the mini pivot located outside of Aberdeen Springfield's service boundary will not result in an enlargement of a water rights.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy 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 of this application.