

MEMORANDUM

Date: September 2, 2016
To: Transfer 79930
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

In 2015 Water District 120 staff discovered an irrigation system change for rights 35-7609 and 35-10322. The purpose of this transfer is to update the place of use of these rights to reflect the current irrigation system and to update ownership of the rights.

Authority to File:

The water rights included in this transfer were decreed in the SRBA in 2002. Later that year, the property was sold in a Sheriff's sale due to foreclosure. The applicant provided an assignment and conveyance of certificate of sale from the buyer, Washington Mutual Bank, to Thompson Brothers, LLC. Water rights 35-7609 and 35-10322 were both specifically included in the 2003 instrument. Current Bingham County taxlot data also shows that the applicant is the current owner of the place of use. The transfer application was signed by Paul Thompson, who is authorized to sign on behalf of the LLC.

Water Right Validity:

Rights 35-7609 and 35-10322 were decreed in the SRBA in 2002. Review of the post-decree photography shows consistent irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged to reflect changes in the irrigation system. Neither the point of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice. However, the watermaster will have the opportunity to review the application prior to approval.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate, nor volume, nor irrigated acreage will increase as a result of the transfer. Both the current and proposed places of use have appurtenant canal shares. This transfer will serve to prevent enlargement by specifying the acres that can be irrigated with ground water at the proposed place of use.

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.