

MEMORANDUM

Date: December 31, 2015
To: Transfer 80590
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer defines the POU for the stockwater and domestic components of water right 35-12165. It also updates ownership of the right.

Authority to File:

The applicant, Russell Klempel, has demonstrated the authority to file. Water right 35-12165 is currently in the name of Howard and Joyce Klempel (Russell's parents). Howard Klempel died on April 10, 2014. Instrument #670413, submitted with the application, conveys the original parcel associated with 35-12165 to Russell Klempel. Russell now owns all of the property at the proposed place of use, according to Bingham County taxlot data.

Water Right Validity:

The water right is valid. It was decreed in 1997, and has been actively used since that time.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. No physical changes will result from this transfer, it serves only to update the Department's records. The watermaster for Water District 120 was notified of the transfer and did not oppose its approval.

Enlargement of Use:

No enlargement of use will result from this transfer. The transfer does not authorize a rate increase, and it places an explicit volume limitation on the water right.

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.