

MEMORANDUM

Date: December 13, 2023
To: Transfer 88602
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and the place of use for water right 35-13848.

Authority to File:

The applicant, Chris Pratt LLC, provided a Water Right Purchase and Sale Agreement that describes the conveyance of the water right to Chris Pratt LLC, pending the approval of this transfer. Bingham County tax lot data shows the seller, Superior L&L LLC, as the current owner of the existing place of use. Superior L&L LLC is owned by Reid Stewart, the current owner of water right 35-13848. The applicant owns the property at the proposed place of use and point of diversion. The applicant has authority to make the change.

Water Right Validity:

The right included in this transfer was licensed in 1991. The representative provided a Conservation Reserve Program (CRP) contract. This contract shows the current place of use was within the CRP from 2008 to 2019. An affidavit was provided from the current water right owner, claiming that the current place of use was in the CRP from 1988 to 2019. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. The water master was notified and did not oppose the approval of this transfer as long as there was not five consecutive years of non-use prior to the CRP contract from 2008-2019. The ESPA transfer tool showed that mitigation is not required. The transfer was advertised without protest.

Enlargement of Use:

The proposed change does not appear to result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of this transfer. There are no overlapping water rights on the current place of use.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.