

MEMORANDUM

Date: May 2, 2024
To: Transfer 88815
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use for the included water rights, to accurately reflect the irrigated land and future improvement projects.

Authority to File:

The applicant is the current water right owner of record. Bingham County tax lot data shows the applicant as the owner of the proposed place of use being changed. The transfer was signed by Luke Marchant, the attorney representing the applicant. The applicant has authority to make the change.

Water Right Validity:

The rights included in the transfer were decreed in the SRBA in 2002. These rights were approved in water right transfer no. 81206 in 2016. Review of 2021 aerial photography shows growing vegetation on most of the current place of use. Corners in the NENE and SESE of Section 11 and the NWNW and SWSW of Section 12 have not been irrigated. Applicant provided a copy of a CRP contract for the NENE Sec 11 and NWNW Sec 12 and a copy of a CREP contract for the CREP contract for the SESE Sec 11 and the SWSW Sec 12. These contracts expired in 2021 and 2022. 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 place of use is simply being rearranged in close proximity to the current place of use. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. The water master was notified and did not provide a comment opposing the transfer. Since it is clear that the proposed change will not have a hydrologic effect on the ground water source, the application will not require public notice.

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 the transfer. The place of use for the transferred rights are simply being rearranged.

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.