MEMORANDUM

Date: June 13, 2024

To: Transfer 89054

From: Christian Stewart

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes a new point of diversion and place of use for a domestic and irrigation water right. The transfer applicants propose to change the point of diversion for their share of a recently split water right from a shared well to a new well on their parcel. After the advertising period, review of the transfer application led IDWR to suggest revising the legal description of the authorized irrigated place of use. Applicant amended the transfer to change the place of use. The applicant attached comments to the amended application in response to concerns about suspected illegal pumping of irrigation water from the Snake River. IDWR notified the watermaster of WD01 about the unauthorized pumping from the Snake River.

Authority to File: Applicants, Angela and David Berggren, are the current owners of record for water right 35-14870. According to the Bingham County parcel map, the applicants own the property at the proposed point of diversion and place of use.

Water Right Validity: The SRBA Court issued a partial decree for water right 35-14870 in 2005. Imagery shows regular irrigation on the place of use parcels in lot 1 and lot 8 with a combined acreage of about .5 acres The actual irrigated acreage in lot 1 has historically been ~.3 acres and there has been .2 acres or more in lot 8.

Injury to Other Water Rights: No issues identified. Proposed POD is located less than 200 feet from the existing POD. Proposed POD and existing POD are in the same ESPA model cell. Therefore, the applicant is not required to file an ESPA Transfer Tool analysis.

Enlargement of Use: No issues identified. Water right 35-1470 is a split portion of parent right 35-13472. Rate and volume were split proportionally between the two homes at the time of the split. Rate limits and volume limits were carried forward in the transfer approval.

Local Public Interest: 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.