

MEMORANDUM

Date: February 7, 2025

To: Transfer 89500

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This transfer was originally filed as 3 separate transfers but was consolidated into one transfer because each proposed to move portions of the same 2 water rights to the same destination. It made sense to review the three transfers as one, since the proposed changes take place at the same location and time. This transfer moves a 58.5-acre portion of rights 22-13797 and 22-13958 into the City of Rexburg's municipal system. The transfer changes the nature of use of the 2 split rights from irrigation to municipal. Due to IT issues which prevent the splitting of rights in the transfer tool, rights 22-13797 and 22-13958 were pre-split into 22-14630 and 22-14632 prior to bringing them into the transfer. Rights 22-13797, 22-13958 and 22-13746 were then brought into the transfer as associated rights to be reduced as appropriate.

Authority to File:

The current owner of water rights 22-13797 and 22-13958, B & B Farms, has given Rocky Mountain Water Exchange LLC (RMWE) the right to sell the water rights on the owner's behalf. The other applicant, IRIE Property Holdings LLC, provided a copy of a purchase and sale agreement, showing its agreement to purchase a 1-acre portion of the transferred rights from RMWE. The City of Rexburg authorized the diversion and use of these rights through the City's municipal water system. The application was signed by Sephlin Hepworth (for IRIE) and Roger Warner (for RMWE), both authorized to sign on behalf of the LLCs.

Water Right Validity:

Rights 22-13797 and 22-13958 were decreed in the SRBA in 2010. Post-decree aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed changes. The applicant provided an ESPA model analysis which showed that no mitigation is required. The transfer was advertised and no protests were received. The Water District 100 Watermaster was notified of the proposed transfer, but did not provide comment.

Enlargement of Use:

The proposed changes will not result in enlargement because neither rate nor beneficial use will increase as a result of the transfer. To prevent enlargement, the transferred rights will be limited to the historical consumptive use volume of the 58.5 acres being retired. There are no other water rights at 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.