

## MEMORANDUM

**Date:** July 23, 2025

**To:** Transfer 89696

**From:** Christian Stewart

**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for two groundwater irrigation rights.

**Authority to File:** John Mayer is the owner of record for water rights 29-2398 and 29-10449. As part of the requested ownership change, the applicant, KBC Farms provided deeds to several parcels comprising the place of use for the water rights. The application also included a notarized statement from John Mayer saying he has relinquished his interest in all of the water rights to KBC Farms and consents to KBC Farms transferring the water rights that were appurtenant to a parcel still owned by Mayer Family Trust. The application was signed by Klaren Kooppin, member of KBC Farms per the Idaho Secretary of State. Power County parcel records show KBC farms as the owner of the proposed place of use. The ownership of rights 29-2398 and 29-10449 will be updated in whole to KBC Farms based on evidence presented to the Department.

**Water Right Validity:** The SRBA court decreed rights 29-2398 and 29-10449 in March 2004. Aerial imagery shows irrigation of the place of use from 2004-present. No forfeiture issues identified.

**Injury to Other Water Rights:** This transfer only proposes to change the place of use. The ETRAN aquifer model was not run as the points of diversion for the rights are not changing. No injury issues identified.

**Enlargement of Use:** The previous place of use and proposed place of use are currently watered by groundwater rights 29-2398 and 29-10449 and by Falls Irrigation District (FID) water. FID water overlaps 99.3 acres of the current and proposed place of use in section 13. The 99.3 groundwater acres overlapped by FID water are not changing in this transfer. This transfer will also move 25 acres of groundwater to Lot 4 and SESW section 18 to overlap 32 acres of existing FID rental water in those quarter-quarters. There are 18 acres in Lot 3 NWSW and NESW section 18 (not owned but leased by the applicant) that share a pivot that irrigates acres under rights 29-2398 and 29-10449. Per IDWR request, the applicant provided evidence to ensure the groundwater right would not be enlarged and used on these acres. An updated FID water contract provides a water supply to these 18 acres. The applicant provided an irrigation delivery system diagram, which shows that FID water and groundwater are pumped into a pond and are both able to provide water to this pivot. The place of use in sections 24 and 19 is not stacked with any other water rights. Acres from these sections are either being combined with FID water or are moving to provide a fully water supply for their respective places of use. No enlargement issues identified.

**Local Public interest:** No issues identified.

**Beneficial Use/Conservation of Water Resources:** No issues identified.

**Effect on Economy the Local Area:** 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.