

MEMORANDUM

TO WATER RIGHTS 63-33982, 63-33983, 63-33984 FILES
FROM CODY PARKER
RE EVALUATION OF APPLICATION FOR TRANSFER 88622
DATE JULY 1, 2023

Application for transfer 88622 was submitted on March 22, 2023. The application proposed to add a point of diversion and change the place of use for three water rights: 63-33982, 63-33983, 63-33984. The three water rights, when combined, authorize the diversion of 3.76 cfs and 850.5 afa for the irrigation of 230 acres.

The application was advertised with a protest deadline date of January 22, 2024 and was not protested.

Authority to File

Frank Tiegs LLC is the current owner of record for the three water rights involved in the transfer. Frank Tiegs signed the application and is the managing member of the LLC. No concerns.

Validity of Water Rights

The three water rights were accepted for lease into the water supply bank in 2022. Upon change of ownership, the rights were released from the Bank in March of 2023. Per § 42-1764 *Idaho Code* "The five year period of nonuse for forfeiture of a water right shall begin to run anew upon removal of a right from the bank." Five years has not elapsed since the water rights were leased briefly into the water supply bank. Therefore, there is no concern about forfeiture.

Injury to Existing Water Rights

Neither the original, nor the proposed well locations are in any area where there are concerns about groundwater. All the wells proposed in the application are existing wells and are confined to a relatively small location in the same approximate area. Other ground water users should not be affected by the change.

The application was advertised and was not protested.

Enlargement of Use

The three water rights are limited to a combined 3.76 cfs, 850.5 afa, and 230 acres. There are no other overlapping water rights. The transfer will not add any diversion quantity nor will it add acreage. There are no concerns about enlargement of use.

Beneficial Use / Conservation of Water Resources

The application proposes to continue irrigating within acceptable efficiency standards. No concerns.

SUPPORT DATA

IN FILE #63-33982

Local Public Interest

The changes proposed by the application do not appear to conflict with the local public interest.