

MEMORANDUM

Date: February 6, 2026
To: Transfer 90139
From: McKenna Webster
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes adding a new point of diversion to water rights 22-13631 and 22-13771. The transfer application identifies the current points of diversion and the new point of diversion to a 10-acre tract. Department records show that the existing points of diversion for these rights are associated with a 40-acre tract. Because no changes are proposed for the current points of diversion, the legal descriptions will remain tied to the 40-acre tract. The new point of diversion will be located in Government Lot 4 (NWNW), Section 4, T05N, R44E. Since Government Lot 4 (NWNW) defines the legal description, referencing the 10 acre-tract is unnecessary. The legal notice for this transfer correctly identified the point of diversion locations.

Authority to File:

According to IDWR records, the applicant is the current owner of the water rights included in the transfer. The annual report was provided, showing Jim Hanseder as an authorized signer on behalf of the West Ridge HOA.

Water Right Validity:

The water rights were licensed in 2020 with a priority date in 2007. Aerial imagery shows irrigation of landscaping around the homes in the subdivision, though the number of homes is far short of the 120 described in the license. Despite this, Multiple Programs Memo #2 argues that if water is put to use before the end of the sixth calendar year (2026), there is no forfeiture of the water right. Therefore, forfeiture is not a current issue.

Injury to Other Water Rights:

The proposed well is in close proximity to the existing wells. Because of this, the impact of the proposed point of diversion would be low. The transfer application was advertised, and no protests were received. The water rights involved in this transfer fall within Water District 122, which was officially created on December 3, 2025. Since the water district is still in its early stages, a watermaster has not yet been elected or appointed. No injury identified.

Enlargement of Use:

The proposed changes will not result in enlargement because the authorized diversion rate and volume will not increase as a result of the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy of the Local Area:

No issues identified.

Effect on Agricultural Base of 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.