

MEMORANDUM

TO: Transfer No. 90026
FROM: Marcelina Riddle
DATE: January 20, 2026
RE: Evaluation of Application

Middleton Mill Ditch Company submitted transfer 90026 with the purpose of changing the nature of use from irrigation to aesthetic storage and diversion to storage under water right 63-125G. This transfer provides mitigation for evaporative losses associated with application for permit 63-35749.

Summary of Information Submitted

Authority to File:

Transfer 90026 was submitted in the name of Middleton Mill Ditch Company, and IDWR records show the applicant as the current owner of water right 63-125G. The transfer was signed by George Quenzer who has signing authority on behalf of Middleton Mill Ditch Company as the chairman. The annual report put out by the State of Idaho Office of Secretary State shows George Quenzer to be the current president as of 2025. Authority to file is presumed valid.

Water Right Validity:

Water right no. 63-125G was decreed on 02/06/2008. The right is presumed to be valid because it has been put to beneficial use within the last five years. Beneficial use confirmed by department aerial imagery and google earth images. Evidence of beneficial use does not need to be added to the file since it is an IDWR product available to other staff. Water rights are presumed valid, and no other evidence is presented to assume otherwise.

Injury to Other Water Rights:

Transfer 90026 proposes a change in nature of use change from irrigation to aesthetic storage and diversion to storage. The aesthetic storage will only account for the evaporative losses under permit 63-35749 as a means for mitigation. No increase in the quantity of water diverted should occur and therefore no injury is anticipated.

Enlargement of Use:

The proposed changes will not result in an increase in the diversion rate or land being irrigated. The nature of use change will result in a reduction in irrigated acres for water rights no(s) 63-125G, 63-124N, 63-126E, 63-161X, 63-168D, 63-173, 63-370, 63-32519, 63-12518, 63-32520, 63-32521, 63-35222, 63-12304, and 63-4960 which are all held by Middleton Mill Ditch Company. Enlargement does not appear to be an issue.

Local Public Interest:

This transfer is not anticipated to cause potential water quality issues, impact current land use requirements on non-private land or impact fish/wildlife resources. When the application was advertised no public comment was received. For these reasons this application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

Condition X35 was updated and condition 938 was added to water right 63-125G.

Water right no(s) 63-124N, 63-126E, 63-161X, 63-168D, 63-173, 63-370, 63-32519, 63-12518, 63-32520, 63-32521, 63-35222, 63-12304, and 63-4960 are associated rights with this transfer and therefore had condition X35 updated.

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.