

MEMORANDUM

Date: June 1, 2022
To: Transfer 86071
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the point of diversion and place of use and adds points of diversion to a 12-acres split portion of right 31-2470.

Authority to File:

The applicant, Idaho Water Company, has the authority to file. Kent Hansen is the current owner of record for the right. Hansen also owns the pre-transfer place of use, according to Jefferson County taxlot data. The post-transfer place of use was owned by Hamilton Land and Livestock, LLC, according to Jefferson County taxlot data.

An "Agreement for Purchase and Sale of a Water Right" was included with the application allowing for the transfer. Specifically, it allowed for the placement of the transferred rights on the post-transfer place of use, and authorized ownership of the transferred right to be updated to Idaho Water Company, LLC. It was signed by Kent Hansen and Cletus Hamilton. Cletus Hamilton was the registered agent for Hamilton Land and Livestock, LLC, according to the Idaho Secretary of State. The agreement was also signed by Delbert Kohtz, the registered agent for Idaho Water Company, LLC, and a licensed real estate agent. Ownership of the split portion of the right was updated to Idaho Water Company, LLC. It will be updated to Hamilton Land and Livestock, LLC, after transfer approval.

Water Right Validity:

The water right is valid for transfer. It was decreed in 2002. Review of post-decree aerial photography demonstrates consistent irrigation of at least 5.5 acres in the NWNW and 6.5 acres in the SWNW of Section 20, T08N, R33E.

Injury to Other Water Rights:

No injury to other water rights will occur as a result of this transfer. The transfer was advertised and no protests were received. A simulation of the transfer in ESPAM3.3. Modeled impacts to all reaches of the Snake River were less than 2 AF/trimester and 10% of historical average. No mitigation is required.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Rate, volume, nor irrigated acres are authorized to increase.

Local Public Interest / Conservation of Water:

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.