

MEMORANDUM

Date: April 18, 2022
To: Transfer 85927
From: Brian Normandeau
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes changing the place of use of water rights 73-192, 73-7041 and 73-10055. These rights currently share a 317-acre permissible place of use and have a combined acre limit of 305.9 acres. The proposed PPU is 425 acres, and it includes the entire existing PPU. A change of ownership is accomplished as part of this transfer.

Authority to File:

The transfer applicant is Bar 4M Ranch, Inc., and the application was signed by Cody Morgan (Bar 4M Ranch, Inc. - President) and Dean Morgan (Bar 4M Ranch, Inc. - Vice President). The water rights are currently owned by Bar 4M Ranch, LLC. Adequate documentation and fees were included with the transfer to update ownership to Bar 4M Ranch, Inc. Custer County and Lemhi County parcel data show the land covered by the proposed place of use in the ownership of Bar 4M Ranch, Inc. except for one 5-acre parcel which shows the owner as Bar 4M Ranch, LLC & Cody Morgan.

Water Right Validity:

The rights involved in this transfer were decreed in 2009. They were also involved in Transfer 81600, which was approved 8/25/2017. There is no clear and convincing evidence of forfeiture due to non-use based on review of aerial imagery. No issues identified.

Injury to Other Water Rights:

The changes proposed are to the place of use only, and do not appear to impact any other water users. The watermaster for Water District 73 did not provide comment on the proposed changes. No issues identified.

Enlargement of Use:

The diversion rate, volume limitations and total irrigated acres authorized by these rights are not changed by this transfer. Although the area of the permissible place of use is increased, the number of irrigated acres remains the same. Permit 73-12258 authorizes irrigation of 40 acres from ground water in the NWNW Sec 27 T14N R22E. This particular QQ is within the post-transfer permissible place of use; however, it is not included in the 305.9 acres to be irrigated within the PPU under the transferred rights and is understood to be irrigated with ground water only at this time. No issues of enlargement identified.

Local Public interest:

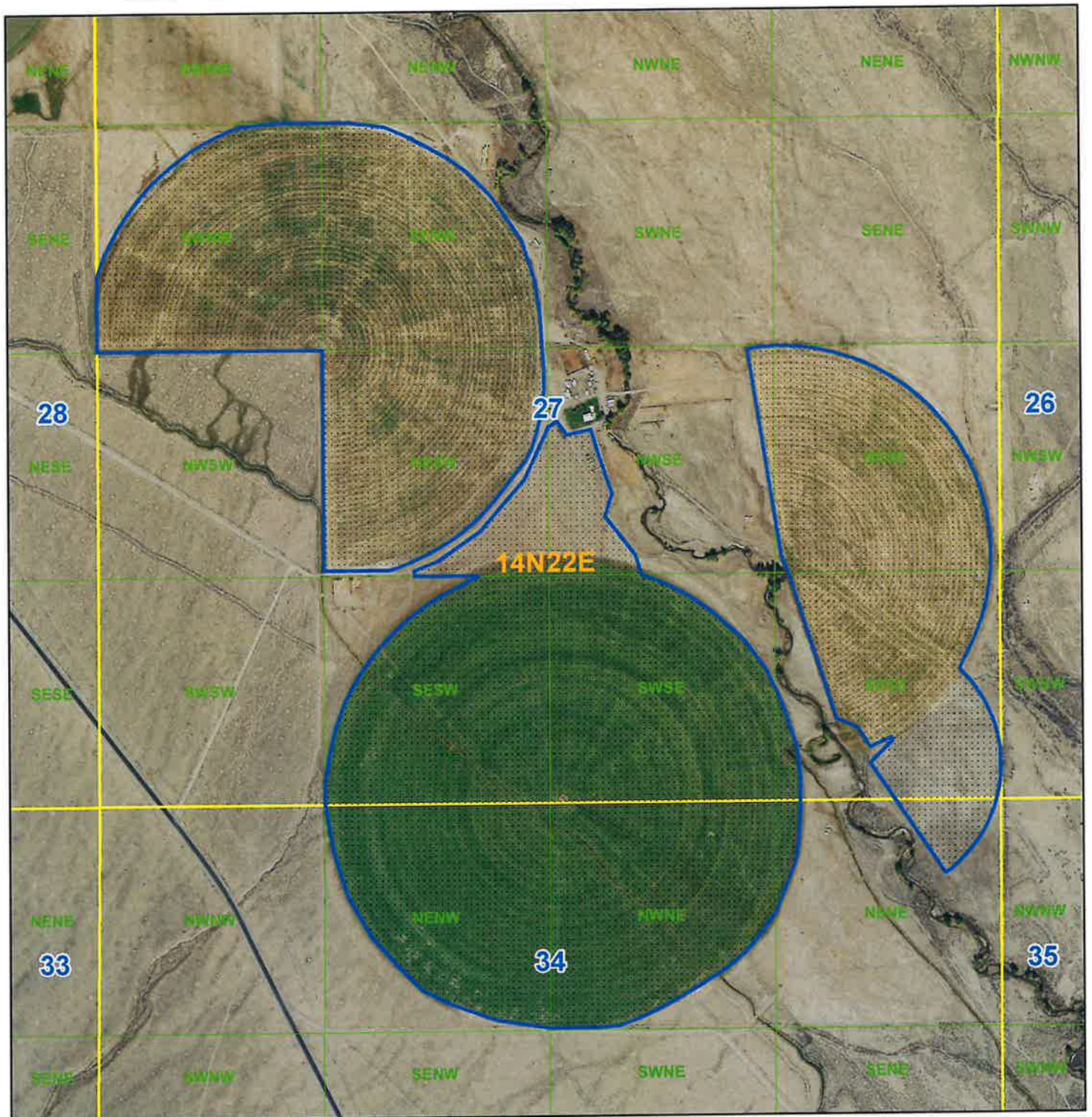
No issues identified.

Beneficial Use/Conservation of Water Resources:

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.

Irrigated Area Map - Rights 73-192, 73-7041 & 73-10055
305.9 - acre combined limit



Legend

-  Township/Range
-  Sections
-  QQ
-  Bar_4M_2022_Irrigation

0 550 1,100 2,200 Feet

1 inch = 833 feet

