

MEMORANDUM

Date: September 13, 2021

To: Transfer 84954

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This is one of four related transfers filed to update water right ownership and use based on a recent water right allocation agreement. This transfer proposes to change the point of diversion and place of use of the applicants' split portion of right 29-4144.

Authority to File:

Ownership of rights 29-2563, 29-4144, and 29-11419 was updated to Thompson Family Investments LLC in 2012. The applicants provided a copy of a water right allocation agreement demonstrating ownership of the water right portion included in the transfer. Part of right 29-4144 is currently located on land owned by Burmester. However, a deed found in approved transfer 84409 shows that these water rights were withheld from the sale to Burmester. Bannock County parcel data confirms the applicants' ownership of the proposed point of diversion and place of use.

Water Right Validity:

Right 29-4144 was decreed in the SRBA in 2004. Aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed changes. The transfer application was advertised and no protests were filed. The Water District 29H watermaster did not oppose approval of the transfer.

Enlargement of Use:

The right included in this transfer is part of a 110-acre combined place of use and 43.5 of those acres is stacked with Portneuf Marsh Valley Canal Co. shares. This transfer represents the 43.5 acres that will continue to be stacked with canal shares, but at a new location. The total water right quantities from the four related transfers combined will not increase. Therefore, the proposed changes will not result in enlargement.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Effect on Economy 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.