

## MEMORANDUM

**Date:** October 21, 2020  
**To:** Transfer 84331  
**From:** Brian Normandeau  
**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion for a 33.1-acre split portion of water right 31-12030. The transferred acres are combined with water right 31-11933 to create a 154-acre place of use. The transfer also corrects the point of diversion legal description for water right 31-11933. The well is located within 50 feet of the QQ intersection. Based on the current GCDB layer, the well is actually located in Lot 3 (SWNENW) of Section 5. No physical change in point of diversion for water right 31-11933.

### Authority to File:

The transfer applicant is Mickelsen Properties LLC. The application was signed by Stephanie Mickelsen. Documentation provided with the application indicates Stephanie's authority to sign on behalf of Mickelsen Properties. Water right 31-11933 and the land at the proposed place of use are owned by the applicant. The existing place of use for water right 31-12030 is involved in a 1031 Exchange, which is still being finalized. Mickelsen Properties has already filed a Notice of Ownership Change for water right 31-12030. The ownership change will be completed once the 1031 Exchange is finalized.

### Water Right Validity:

Right 31-11933 was decreed 2/22/2002, and right 31-12030 was licensed 1/28/1993. Review of aerial imagery does not indicate any five-year period of nonuse. No issues identified.

### Injury to Other Water Rights:

The transfer is moving a relatively small amount of water to an existing well. ESPA modeling indicated no mitigation required for the transfer. No issues identified.

### Enlargement of Use:

Approval of this transfer does not result in an increase to diversion rate, total volume or total irrigated acres covered by these rights. The transferred acres have already been dried up as of 2020. 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.