

MEMORANDUM

Date: August 28, 2020
To: Transfer 84045
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the point of diversion and place of use for 38.0 acres of right 29-14015.

Authority to File:

The applicant, Lamar Isaak, has the authority to file.

According to the Department's database, at the time of transfer submittal the right was owned by Conrad and Adriane Isaak. A Quitclaim Deed included with the application conveys the 38.0 acre portion of the water right involved in this transfer from the owners of record to Lamar Isaak. The ownership of the 38.0 acre split portion will be updated to Lamar Isaak.

According to Power County taxlot data, the pre-transfer place of use was owned by Conrad Isaak and the post-transfer place of use was owned by Lamar Isaak.

Water Right Validity:

The water right is valid for transfer. It was decreed in 2004. Review of post-decree aerial photography indicates consistent irrigation until 2015. It was then leased to the Water Supply Bank from 2017 - 2018, and again in the spring of 2020. Because it was active in the Water Supply Bank at the time of transfer submittal, the Water Supply Bank was notified of the transfer on July 15, 2020.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. An ESPAM simulation of the transfer was performed. Results demonstrated that mitigation is not required. There is no Water District at the post-transfer place of use.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Current place of use is within the digital service boundary for Falls Irrigation District. We contacted the secretary for the district. She confirmed that the existing place of use for water right 29-14015 is not within the district. Therefore, there are no issues with unstacking water rights. Rate, volume, nor irrigated acres are authorized to increase.

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.