

MEMORANDUM

Date: April 27, 2020
To: Transfer 84029
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use and add a point of diversion to a 30.7 acre portion of water rights 35-7192 and 35-9069. The 30.7 acres will be combined with eight other rights to create a 822.7-acre combined place of use. The transfer also proposes to remove four unused points of diversion from water rights 35-13403, 35-13933, 35-13935, 35-13937, 35-13939, 35-13941, 35-13949, and 35-13951.

Authority to File:

The applicant, Foster Land and Cattle, has the authority to file. Applicant's attorney, Luke Marchant, signed the application. Foster Land and Cattle is the current owner of record for the rights. According to Jefferson County taxlot data, the applicant owns the land at the pre-transfer and post-transfer places of use and points of diversion.

Water Right Validity:

The water rights are valid for transfer. All of the water rights were decreed in the SRBA. Review of post-decree aerial photography demonstrates that forfeiture is not an issue.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. Application included an analysis of impacts using the ESPAM transfer tool. The analysis was prepared correctly and showed no mitigation is required. The Watermaster for Water District 120 was notified of the transfer and did not oppose its approval. The transfer was advertised and no protests were received.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. 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.