

MEMORANDUM

Date: June 27, 2019
To: Transfer 83262
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the place of use and point of diversion for a 3.1-acre portion of right 35-7769. The split portion will be moved to certain lots within Jefferson Greens Estates Subdivision to resolve a pending notice of violation.

Authority to File:

The applicant, Rocky Mountain Water Exchange, has the authority to file. Department records indicate that the right was owned by Jennifer and Todd Cook at the time of transfer submittal. Bingham County taxlot data indicate that the Cooks own the land at the pre-transfer place of use.

An "Agreement for Purchase and Sale of Water Right" submitted with the application allows Rocky Mountain Water Exchange to file this transfer. It was signed by the Cooks and by Roger Warner. Roger Warner is the registered agent for Rocky Mountain Water Exchange, according to the Idaho Secretary of State's website.

Roger Warner also signed the transfer application.

The post-transfer place of use sits on numerous residential parcels, ranging in size from 0.25 to 0.7 acres. The owners of each parcel signed an agreement allowing Rocky Mountain Water Exchange to place water on their land through this transfer. After transfer approval, the ownership of the water right will be updated to each parcel owner.

Water Right Validity:

The water right is valid for transfer. It was decreed in 2002. Landsat imagery suggests the acres to be transferred have been consistently irrigated.

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. The application included an analysis using ESPAM 2.1. Based on that analysis, no mitigation is required.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Rate, volume, nor irrigated acres are authorized to increase. The original transfer application only proposed moving 0.01 cfs per acre, which is not sufficient for subdivision irrigation. The amended application proposes to transfer 0.02 cfs per acre, which is the state standard for irrigation use.

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.