

## MEMORANDUM

**Date:** December 30, 2019  
**To:** Transfer 83770  
**From:** Jeff Nield  
**Re:** Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the place of use and point of diversion of a 4-acre (0.08 cfs) portion of water right 29-11732. The 4-acre portion will be combined with water right 29-2462D to irrigate 4 acres at the proposed place of use. The transfer will also correct the point of diversion for water right 29-1462D. Ownership of the split portion of water right 29-11732 will also be updated as part of the transfer approval. Water right 29-12265 shares a combined place of use with water right 29-11732 and was brought into the transfer as an associated right to updated combined limit conditions.

### Authority to File:

The transfer application includes a purchase and sale agreement and a warranty deed between Douglas and Shauna Guthrie (applicants) and James and Carol Guthrie (current water right owners) for the sale of the 4-acre (0.08 cfs) portion of water right 29-11732. The purchase and sale agreement and warranty deed were signed by both the applicants and the current water right owners. Department records show the applicants as the current owners of right 29-2462D. Bannock County tax parcel data shows the applicants as the owner of the property at the proposed place of use and point of diversion.

### Water Right Validity:

The rights proposed to be transferred were decreed in the SRBA in 2004. The number of irrigated acres found during review of 2015 and 2017 aerial imagery was about the same as the number of acres authorized to be irrigated by this right. Forfeiture does not appear to be an issue.

### Injury to Other Water Rights:

The transfer application was advertised and no protests were received. The water master was given the opportunity to comment on the proposed change prior to transfer approval. Injury does not appear to be an issue.

### Enlargement of Use:

As indicated in Part 2B on the transfer application, the current owners of right 29-11732 will dry up 4 acres of irrigated land at the current place of use. The combined use limits for associated right 29-12265 will also be updated. The proposed changes will not result in an increase in any of the elements of the water rights. Enlargement does not appear to be an issue.

### 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.