

MEMORANDUM

Date: August 20, 2019
To: Transfer 83518
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add two points of diversion to seven water rights which together serve an office building property and irrigate its grounds. All of the seven water rights currently list one point of diversion. There are two existing wells on the property. Applicant proposes to drill a third well and proposes to list all three wells on all of the water rights. The three wells are tied together into a single distribution system.

Authority to File:

The applicants, South Interchange Properties, LLC, and Natural Guardian, LLC, have the authority to file. According to the Department's database, all but two of the rights were owned by either Natural Guardian, or South Interchange Properties. Water rights 35-14266 and 35-14267 were still in the name of Dixie Bundy. These rights were recently purchased from Bundy and moved to the South Interchange property. Application included a notice of change in ownership, proposing to update the records for water rights 35-14266 and 35-14267 to be in the name of South Interchange Properties. According to Bonneville County taxlot data, South Interchange Properties owns the land at the existing and proposed diversion points. Natural Guardian leases the office space in the buildings. The application was signed by Luke Marchant, who serves as an attorney for both of the applicants.

Water Right Validity:

The water rights are valid for transfer. 35-13537 is a commercial right used at an active facility. It was decreed in 2002. 35-14266 and 35-14267 were transferred to their current place of use in 2018. 35-14484 et al were transferred to their current place of use in 2016.

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 new points of diversion are within the same ESPAM cell as the pre-transfer point of diversion. Watermaster does not oppose the transfer.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Neither, rate, volume, nor irrigated acres are authorized to be increased. The six irrigation rights included in the transfer contain a combined acre limit of 23.8 acres.

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.