MEMORANDUM

Date: September 21, 2018

To: Transfer 82568

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and place of use of a 2.7-acre portion of right 35-2568. Right 35-7769 was brought into the transfer as an associated right in order to update combined limits and conditions.

Authority to File:
The applicant has a purchase and sale agreement with the current owners for the portion of the water right included in the transfer. The ownership will be updated upon approval of the transfer. The applicant provided a statement from the lien holder giving assent to the transfer. Review of the 2018 annual report on the Idaho Secretary of State webpage showed that the application was signed by a member of the LLC.

Water Right Validity:
Water right 35-2568 was decreed in the SRBA in 2002, and the right was included in Transfer 81535, which was approved in 2017. Aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:
The applicant provided an ESPA model analysis and determined that mitigation was not required because impacts were less than 2 AF per trimester. I ran the model again using a cell I thought was more appropriate for the destination wells and it still passed. Mitigation is not required. The application was advertised and no protests were filed.

Enlargement of Use:
After new right 23-11468 was split from parent right 35-2568, condition amounts and combined limits for 35-2568 and associated right 35-7769 were reduced in order to prevent enlargement. The proposed change will not result in enlargement because the total acreage, diversion rate, and volume authorized for irrigation under the rights will not increase.

Local Public interest:
No issues identified.

Beneficial Use/Conservation of Water Resources:
No issues identified.

Effect on Economy the Local Area:
No issues identified.

Effect on Agricultural Base of the Local Area:
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.