MEMORANDUM

Date: August 29, 2018

To: Transfer 82423

From: Brian Normandeau

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change point of diversion, add four points of diversion and change place of use for a 22 acre portion of water right 35-2765.

Authority to File:

The application was signed by David Cooper, member of D. Cooper, LLC and Douglas Case, member of D. Case, LLC; both of which are registered members of Gardner Farms. Gardner Farms is the current water right owner per IDWR records, and the land owner per Bingham Country parcel data. The proposed place of use and points of diversion are on land owned by Global Ag Properties II USA LLC. Global Ag Properties II USA LLC is purchasing this portion of the water right from Gardiner Farms; however, the ownership will not be updated at this time. Documentation was provided for the sale of this portion of the water right, as well as Global Ag Properties II USA LLC giving permission for the water right to be transferred to their property.

Water Right Validity:

Water right 35-2765 was decreed in 2002. The water right authorizes 281 irrigated acres. The place of use does not match the current configuration of the irrigated acres. Pivots were installed on the property after the partial decree was issued. Based on aerial photos, at least 281 acres have been consistently irrigated at the existing place of use. No issues identified.

Injury to Other Water Rights:

The five proposed points of diversion are established groundwater wells. ESPA modeling indicated no mitigation was required. The location of any well is not near any other production wells that may be impacted by this transfer. No issues identified.

Enlargement of Use:

The total number of acres irrigated is not being changed, and there is no proposed change to the diversion rate or the volume of water used. The land currently irrigated by this portion of the right will be dried up upon approval of this transfer. No issues identified.

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.