MEMORANDUM

Date: August 30, 2018

To: Transfer 82500

From: James Cefalo

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a 4-acre portion of water right 35-14408. The proposed point of diversion and place of use are located approximately 11 miles southeast of the existing point of diversion.

Water right 35-14407 is also appurtenant to the existing place of use. This right was added to the transfer as an associated water right to reduce the place of use and update conditions.

DC Farms filed a second transfer application (82497) proposing to transfer another 3-acre portion of water right 35-14408 to a place of use near the place of use proposed in this application. The transfers will be approved in numerical order.

Authority to File: DC Farms LLC is the owner of record for water rights 35-14407 and 35-14408. DC Farms LLC is the owner of the existing and proposed places of use according to Bingham County taxlot data. The 2018 Annual Report form filed by DC Farms LLC with the Idaho Secretary of State lists David Cooper and Douglas Case as managers for the LLC. Application was signed by David Cooper and Douglas Case.

Water Right Validity: Water right 35-14408 was decreed in 2002. Aerial photos confirm that at least 156.7 acre have consistently been irrigation under water rights 35-14407 and 35-14408 since that time. The map shapefile in the departments records for water rights 35-14407 and 35-14408 was out of alignment based on the most recent aerial photos. The shapefile for the remaining place of use will be updated as part of the transfer. This will not require any changes in acres per QQ (except for a 7 acre reduction to account for the portions being moved off of the property in Transfers 82497 and 82500). Applicant filed an amended application on July 16, 2018, updating the map for the remaining place of use. The acres to be dried up are acres on the periphery of the irrigable land that can be easily dried up based on configuration of pivots on the property.

Injury to Other Water Rights: Application was advertised. No protests were filed. Applicant filed an analysis using the Department's transfer tool. Although the split portion is moving to a location 11 miles away, the amount of water being moved is quite small. No mitigation is required.

Enlargement of Use: 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.