

MEMORANDUM

Date: July 25, 2018
To: Transfer 82467
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer adds a point of diversion to rights 25-14240, 25-14242, 25-14243, and 25-14340.

Authority to File:

The applicant, Comore Development, Inc. has the authority to file.
The application was signed by Luke Marchant, the applicant's attorney.
The applicant is the owner of record for the rights, according to the Department's database.
BDS, LLC, owns the property at the proposed point of diversion. According to the Idaho Secretary of State's website, BDS, LLC, and Comore Development, Inc. have the same registered agent.

Water Right Validity:

The water rights are valid for transfer.
Right 25-14240 was licensed in 1994. The remainder of the rights were decreed in 2002.
The four rights involved in this transfer provide mitigation for permits 25-14166 and 25-14167 in accordance with Transfers 74088 and 72674. As such, they are protected from forfeiture under Idaho Code 42-223(10).

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.

Enlargement of Use:

No enlargement of use will result from this transfer's approval.
Rate, volume, nor irrigated acres are authorized to increase.
Right 25-12706 was also included in the mitigation plan for permits 25-14166 and 25-14167 as described by Transfer 72674. However, right 25-12706 was intentionally not included in this transfer because the six existing wells currently allow for its full utilization under that mitigation plan.

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.