

MEMORANDUM

Date: March 17, 2017
To: Transfer 81516
From: Amanda Weber
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the place of use for Water Right 35-7512. The applicant seeks to rearrange the place of use to cover the northwest corner of their property that is being irrigated without a water right. This transfer was filed in response to an unauthorized water use letter.

Authority to File:

The applicant is the current water right owner of record. Taxlot data shows Foster Family Farms Inc. is the property owner of both the current and proposed places of use and has the authority to make the change. Marc Foster, a registered agent for Foster Family Farms Inc., signed the application.

Water Right Validity:

The right included in this transfer was decreed in the SRBA in 2002. Review of 2009, 2011, and 2013 aerial photography shows growing vegetation on the current place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is simply being rearranged. Neither the point of diversion nor the quantity authorized to be diverted will change as a result of the transfer. Since it is clear that the proposed change will not adversely impact other water rights, this application will not require public notice. This water right is within Water District 120. The watermaster does not oppose the transfer.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of the transfer. The place of use for the transferred right is simply being rearranged. There are no overlapping water rights on the property.

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.