

MEMORANDUM

Date: December 21, 2016
To: Transfer 81255
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to rearrange the place of use for rights 29-2332 and 29-7056 to reflect changes to the irrigation system.

Authority to File:

A business entity search on the Idaho Secretary of State webpage showed that Leon Nelson had signature authority for the applicant, Downey Properties, LLC. The applicant is the current water right owner of record based on a 2010 ownership change. However, Bannock County taxlot data shows that 2 acres of the current place of use is owned by North Star Supply. Since there was some ambiguity associated with the 2 acre parcel on the deeds submitted with the 2010 ownership change, North Star Supply was provided direct notice of the transfer and was given three weeks to respond. The company contacted me about the transfer, but did not assert an interest in the water rights.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2004. Imagery from 2009 shows irrigation of the entire place of use. But imagery in 2013 revealed a system change in which some corners were dried up and a $\frac{3}{4}$ pivot became a full pivot. Although the configuration changed, the full 237 acres allowed by these rights continued to be watered. 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 to reflect changes in the irrigation system. 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.

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. Although the place of use for the transferred rights is being rearranged, individual water right acre limits and combined limits will be carried forward in order to prevent enlargement.

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.