

MEMORANDUM

Date: August 22, 2016
To: Transfer 81029
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer adds a point of diversion to right 34-2437A. It also moves 31 acres of rights 34-2437A, 34-569D, 34-608A, and 34-609A to Lot 2 (SWNW) of Section 18, T06N R26E, to reflect current usage. The splitting of the surface water rights indicated on the application were for the purposes of calculating the appropriate filing fee. Splitting the water rights was not necessary in processing the application.

Authority to File:

The applicant, Albert Fullmer, has the authority to file and signed the Application. He is the owner of record for the water right, along with Eleanor Fullmer. The name connector is an "or". Mr. Fullmer owns the land from which the 31 irrigated acres will be removed, according to Custer County taxlot data. Brett Williams owns the land onto which the 31 irrigated acres are being moved. An "Authorization to Apply Water Rights" was signed by Brett and Trudy Williams, explicitly referencing Transfer 81029. Mr. Fullmer owns the land at the new point of diversion.

Water Right Validity:

The water rights are valid. They were decreed in 2001 and 2002. Review of post-decree aerial photography indicates consistent irrigation. The rights were used as decreed until 2010, after which they began to be used as proposed in this application.

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.
The watermaster for water district 34 was notified of the transfer and did not comment.
The new point of diversion is in an adjacent ESPA model cell to the original point of diversion.

Enlargement of Use:

No enlargement of use will result in this transfer's approval.
Rate nor irrigated acres are authorized to increase.

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.