

MEMORANDUM

Date: April 26, 2016
To: Transfer 80779
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for all of right 35-2099E (35 acres) and for a 5.0 acre portion of water right 35-13257. The applicants filed this transfer in response to an unauthorized water use letter sent November 30th, 2015 (case No E2015-912). The applicants seek to resolve the issue by transferring 40.0 acres to cover land being irrigated without a water right. The applicants will use an existing well located on property owned by Gary Seamons. The applicants currently lease the property at the proposed place of use to Gary Seamons.

Water right 35-13257 is involved in another transfer (80788) which was filed simultaneously with this transfer (80779). The applicants filed transfer 80788 in response to an unauthorized water use letter sent December 15, 2015 (case No E2015-925). The remaining portion of water right 35-13257 will be re-modified through transfer 80788.

Authority to File:

The applicants are the current owners of water rights per IDWR record and owner of the property at the proposed place of use per Bingham County taxlot data. Gary Seamons is the owner of the property at the proposed point of diversion. Gary Seamons does not oppose the transfer. Rob Harris who is the applicants attorney signed the application.

Water Right Validity:

Water rights were decreed in 2002. Aerial photography shows land consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. The current point of diversion and proposed point of diversion are within adjacent ESPA model cells. No ESPA analysis required. This transfer was advertised and there are no protests. The watermaster does not oppose the transfer.

Enlargement of Use:

No issues identified.

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.