

MEMORANDUM

Date: March 21, 2016
To: Transfer 80689
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion for a 3-acre portion of water right 29-2438A. The new point of diversion will be a domestic well located on the applicant's property.

Authority to File:

The applicant, Matt Oswald, has demonstrated the authority to file. He provided a deed from the current water right holder (Spring Creek Homes) for the property in question. Although the parcel as described in the deed is 6.8 acres, each lot in the Sage Hollow subdivision comes with three acres of irrigation. The applicant owns the property at the split portion's POD and POU, according to Bannock County taxlot data. Because the deed listed Matt Oswald and Brittney Oswald (his wife), Matt and Brittney will both be included as current owners of the right.

Water Right Validity:

The water right is valid. It was decreed in 2004. Review of post-decree aerial photography for the split portion indicates consistent irrigation.

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 new POD is within the same ESPA model cell as the decreed POD.

Enlargement of Use:

No enlargement of use will result from this transfer. Neither rate, acres, nor volume are authorized to be increased.

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.