

MEMORANDUM

Date: October 29, 2015
To: Transfer 80189
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer was filed in response to a letter sent by IDWR to Sowards regarding unauthorized irrigation in the SWNE of Section 34, T05N, R26E. The transfer covers the acres in question and creates a combined POU for seven water rights.

Authority to File:

The applicant, Norman & Mary Sowards Living Trust, has the authority to file. Norman Sowards, who signed the application was the owner of record for the water rights at the time the transfer was filed. He is the registered agent for the Living Trust, according to the Idaho Secretary of State website. Upon transfer approval, the owners of the water rights will be updated to Norman & Mary Sowards Living Trust.

Water Right Validity:

The water rights are valid. They were decreed in 2001. Review of post-decree aerial photography indicates consistent irrigation of the place of use as proposed in this transfer.

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 of Water District 34 was notified of the transfer and did not oppose its approval.

Enlargement of Use:

No enlargement of use will result from this transfer. Increases in rate, volume, or irrigated acres are not authorized.

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.