

MEMORANDUM

Date: September 24, 2015
To: Transfer 80236
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and change the ownership for a combined 80.0 acre portion described under water rights 35-2619, 35-12350. In July, 2015 the applicant (Foster CO) filed this transfer seeking to change the point of diversion and change the ownership for all of water rights 35-2619 and 35-12350. The transfer application was advertised for 7.46 cfs. However, according to the warranty deed submitted with the application, Foster CO. only owns 80.0 acres of property described under water rights 35-2619 and 35-12350. The applicant amended the application proposing to change the point of diversion and change the ownership for 80.0 acres under rights 35-2619 and 35-12350. The applicant will be using an existing well.

Authority to File:

The applicant is the current owner to 80 acres described under rights 35-2619 and 35-12350 per warranty deed. The ownership for the 80 acres will be changed through this transfer. The applicant is the current owner of property at the proposed point of diversion per warranty deed.

Water Right Validity:

Water rights were decreed in 2002. Aerial photography shows land to be consistently irrigated. There is no clear and convincing evidence to forfeiture. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. Points 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 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.