

## MEMORANDUM

**Date:** April 22, 2015  
**To:** Transfer 79819  
**From:** Heather Bohac  
**Re:** Review & Evaluation of Sufficiency of Information

This transfer splits water right 31-12048 and changes the point of diversion for the new split portion (31-12360). The applicant has upgraded from ditch irrigation to a 129 acre pivot installed on a portion of his property which makes it impossible for him to continue full use of water right 31-12048 (180 acres) from his existing well. It is his desire to irrigate his new pivot using 31-12048 (limited to 129 acres) and irrigate the remainder of his property using the split portion (31-12360, limited to 51 acres) which will be diverted from an existing well owned by Mud Lake Water Users, Inc and delivered via a canal also owned by MLWU. An agreement included in the application describes a trade that will take place upon approval of this transfer in which water right 31-12360 will be traded for 51 shares of stock in MLWU.

### Authority to File:

Lloyd & Jewel Barzee are the current owners of water right 31-12048. The name connector on the water right is "OR". The Bank of Commerce has a security interest in water right 31-12048 and has authorized the exchange of a portion of the right for shares in MLWU.

### Water Right Validity:

Aerial photography shows the land involved in this transfer to be irrigated. WMIS records show that the full volume allowed under this right has been pumped for at least 15 years. Forfeiture is not an issue. ESPA transfer tool analysis not needed because existing POD and proposed POD would be in adjacent cells if the model grid were shifted to the east.

### Injury to Other Water Rights:

No issues identified. Water right is within WD 110. Watermaster does not oppose this transfer. Transfer was advertised in the Jefferson Star, no protests were received.

### Enlargement of Use:

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.