

MEMORANDUM

Date: September 17, 2014
To: Transfer 79493
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to create a 1754 acre PPU for 16 irrigation rights, which together authorize the irrigation of 1153 acres. A license that will be approved along with the transfer will authorize the irrigation of an additional 320 acres within the PPU created in this transfer. The applicant provided an initial irrigation shape for the 1,473 acres authorized under the 17 water rights. License 33-7183 was issued at the same time as the transfer approval. The license was not included in the transfer. However, the place of use and combined limit conditions listed on the transfer approval and license are identical.

Authority to File:

The applicant, Mays Land and Livestock Inc, has the authority to file. Mays Land and Livestock Inc is the owner of the 16 water rights included in this transfer according to Department records, and is a corporation in good standing, according to the Idaho Secretary of State's website. Fred Sturzen, who signed the application, is listed as the president of the company.

Water Right Validity:

The water rights are all valid. They were all decreed in the SRBA. Review of aerial photography indicates consistent post-decree irrigation.

Injury to Other Water Rights:

No injury to other water rights will result from this transfer's approval. The points of diversion for the water rights listed in the transfer will not change. Therefore, the transfer was not advertised. The Watermaster for Water District 33 was notified of the proposed changes and did not provide comment. Additionally, the points of diversion will remain unchanged.

Enlargement of Use:

Enlargement of use will not occur as a result of this transfer's approval as no additional rate, volume, or irrigated acres are 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.