

MEMORANDUM

Date: May 6, 2014
To: Transfer 79114
From: Heather Bohac
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to combine the place of use for water rights 35-2460B, 35-7155 & 35-7156 and add 3 existing PODs for water right 35-7156. These changes will help resolve a pending notice of violation that the applicant received in April, 2012 and more accurately describe how water is being used under these rights. Water right 35-2460B is limited to 409 acres, 35-7155 is limited to 237 acres and 35-7156 is limited to 200 acres within a 789 combined acre place of use. There are 4 wells that will be used to irrigate the 789 acres. Three points of diversion will be added to 35-7156. An ownership change is also requested through this transfer. Jared K Lewis purchased the property in 2008.

Authority to File:

Jared K Lewis is the registered agent for L 3 Land and Cattle LLC. The applicant proposed the ownership of water rights 35-2460B, 35-7155 and 35-7166 be changed into L3 Land & Cattle LLC. However, the warranty deeds that the applicant provided conveys the water rights unto Jared K Lewis. The ownership for these water rights will be changed to Jared K Lewis. The Bank of Commerce holds a security interest in water rights 35-2460B, 35-7155 and 35-7156. This transfer does not remove these water rights from the mortgaged property.

Water Right Validity:

All water rights involved have been decreed in the SRBA on 2/25/2002 and are currently active. Aerial photography shows consistent irrigation. 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 is required. This transfer was advertised and there are no protests. The watermaster does not oppose transfer. No injury issues identified.

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.