

## MEMORANDUM

**Date:** July 25, 2013

**To:** Transfer  
78729

**From:** Blake Jordan

**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water rights 35-7280, 35-7281 and 35-13241. The applicants are seeking to change the place of use to accommodate a pivot irrigation system that was installed sometime after 1992. The total acres authorized under these water rights is 560.0 acres. The point of diversion for these water rights will remain the same.

**Authority to File:**

Currently these water rights are in the name of Linden J Butikofer and Lois J Butikofer. The applicants provided a trail of warranty deeds showing that they are the new owners of the water rights and owners of proposed place of use. Along with the transfer application, the applicants did submit two ownership changes. The applicants request that the ownership changes be processed after the transfer application is approved. The ownership of the water rights will be split into a 142 acre portion owned by Karl and Molly Cook and a 418 acre portion owned by Jeff and Jenny Cook. Rob Harris who is the applicants attorney signed the application.

**Water Right Validity:**

Water rights were decreed in 2002. Aerial photography up to 2011 shows 560.0 acres being irrigated under these water rights. Forfeiture is not an issue.

**Injury to Other Water Rights:**

Inside the ESPA and within WD 120. The point of diversion for these rights will remain the same. No ESPA analysis is required. This application will be processed with no advertisement. The watermaster for WD 120 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.