

## MEMORANDUM

**Date:** April 19, 2013  
**To:** Transfer  
78540  
**From:** Blake Jordan  
**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water rights 22-2242B and 22-10897. Lee Sutton (applicant) is seeking to change the current permissible place of use (authorized under transfer 77997) described under water rights 22-2242B and 22-10897 from 824.0 acres to 844.0 acres. Water rights 22-2242B and 22-10897 when combined will authorize the irrigation of 778.0 acres within the 844.0 acre permissible place of use. The applicant provided a map and shape file that designates the 778.0 acres proposed to be irrigated within the 844.0 acre permissible place of use. Point of diversion will remain the same.

The transfer application indicates that the total volume being transferred is 2723.0 acre-feet. This is in error. The total volume being transferred is 2614.7 acre-feet.

### Authority to File:

The applicant is the current owner of water rights per IDWR record. The land currently covered by the water rights involved in this transfer are owned by the applicant and owned by a number of different individuals where the applicant leases the land. These water rights were claimed by Lee Sutton in the SRBA and decreed into his name. Even though some of the lands under these water rights are owned by different individuals, these water rights were developed by the applicant and his family. The proposed place of use will be appurtenant to lands owned by the applicant and lands owned by different individuals. Consent letters from these land owners have been obtained and can be found in the water right back file under water right 22-2242B (via transfer 77997).

Rob Harris who is the applicants attorney signed the application.

### Validity:

Decreed in 2008. Forfeiture is not an issue.

### Injury to Other Water Rights:

These ground water rights are within the ESPA model boundary, but are not in a water district. Not regulated by a watermaster. This transfer will not be advertised. No injury issues identified.

### Enlargement of Use:

No enlargement issues identified

### Local Public Interest:

No issues identified.

### Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.