

MEMORANDUM

Date: March 6, 2013

To: Transfer
78462

From: Cooper Fritz

Re: Review & Evaluation of Sufficiency of Information

This Transfer Application proposes to combine and move the PODs for water rights 35-14175, 35-14177, and 35-14179 from groundwater wells in the NWNENW, S22, T5N, R38E, and the SWSWSW, S15, T5N, R38E, to a groundwater well to be constructed on property owned by the applicant in the NWSE, S16, T5N, R38E. The water rights included in this application have a combined diversion rate limit of 0.82 cfs and diversion volume limit of 176 acre-feet. The current PODs for the above water rights are also the PODs for water rights 35-14176, 35-14178, and 35-141714. The POU for the above rights does not overlap with any active rights.

Authority to File

Ownership of the water rights was updated in conjunction with the transfer. The applicant provided sufficient evidence to update the ownership of the water rights. The Conservation Fund is registered with the Idaho Secretary of State. Scott Tison, who signed the application, is the Real Estate Legal Manager for the company and has the authority to sign on its behalf.

Water Right Validity

The water right was decreed in 2002. Review of aerial photography indicates regular use of the water rights. Forfeiture does not appear to be at issue.

Injury to Other Water Rights

The existing PODs and the proposed POD are in adjacent cells in the ESPA Model. Therefore, no analysis is required under the ESPA Model. There will be no apparent injury to other water users as a result of the transfer. The transfer was advertised and no protests were filed. Watermaster for WD120 does not oppose the transfer.

Enlargement of Use

The proposed changes will not result in an enlargement of use. Rate, volume, acres will not increase as a result of the transfer.

Local Public Interest

No issues identified.

Beneficial Use/Conservation of Water Resources

No issues identified.

Effect on Economy of Local Area

No issues identified.

Effect on Agricultural Base of 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.