

MEMORANDUM

Date: August 8, 2018
To: Transfer 82594
From: Amanda Fowler
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange place of use for water rights 35-7237 and 35-8580.

Authority to File:

The applicant is the current water right owner of record. A portion of the proposed place of use covers properties owned by Kelly Pedersen and Lee and Virginia Bendixsen. Signed statements from both property owners, consenting to the proposed place of use change, were included with the application. The water right owner has the authority and approval to make the change.

Water Right Validity:

The rights included in this transfer were decreed in the SRBA in 2003. Review of 2017, 2015, and 2013 aerial photography shows growing vegetation on the proposed place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

Other rights will not be injured by the proposed change. The place of use is being rearranged to match what has been irrigated historically. Neither the points of diversion nor the quantity authorized to be diverted will change as a result of the transfer. The water rights are regulated by Water District 120. The watermaster does not oppose the application. Since it is clear that the proposed change will not adversely impact other water rights, this application does not require public notice.

Enlargement of Use:

The proposed change will not result in enlargement because neither rate nor volume nor irrigated acreage will increase as a result of the transfer. The place of use for the transferred rights is simply being rearranged.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.

MEMORANDUM

Date: April 9, 2019
To: Transfer 82594
From: Amanda Fowler
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.