

MEMORANDUM

Date: December 31, 2018
To: Transfer 82863
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for water right 15-2047. The application also indicates that the point of diversion will be changed. However, the legal description for the point of diversion will not change. The point of diversion is simply being defined within its licensed quarter-quarter.

Authority to File:

The applicant, Double D Farms, has the authority to file. Applicant provided a chain of deeds linking Double D Farms with John Lewis, the owner of record at the time of transfer submittal. The ownership of the right will be updated to Double D Farms. Terry Davis signed the Transfer. According to the Idaho Secretary of State, Terry Davis is the registered agent for Double D Farms.

Water Right Validity:

The water right is valid for transfer. It was licensed in 1979. Review of post-license aerial photography demonstrates consistent irrigation.

Injury to Other Water Rights:

No injury issues identified. No other ground water wells within 1/4 mile of the updated point of diversion. A standard season of use, 04/01-10/31, was added to the water right.

Enlargement of Use:

No enlargement issues are identified. This transfer authorizes a 133 acre permissible place of use for an 80 acre water right. Permit 15-7291, which authorizes 53 acres, was amended and moved into the 133 acre place of use concurrent with this transfer. Permit 15-7291 covers irrigated acres that have been irrigated but were not covered by a recorded water right.

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: February 4, 2019
To: Transfer 82863
From: Cooper Fritz
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.