

MEMORANDUM

Date: December 17, 2018
To: Transfer 82894
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use for rights 27-10028 and 27-12013, moving 1.8 acres from the NWNE to the NENE of Section 14, T02S, R36E. The transfer also updates the ownership of both water rights.

Authority to File:

The applicants, Mark and Wendy Pratt, have the authority to file.

At the time of transfer submittal, the rights were in the names of Leon and Bonnie Gardner. Bingham County taxlot data indicated that the rights covered portions of two taxlots. One of those taxlots was owned by Gary and Anita Pratt, and the other was owned by Mark and Wendy Pratt. Deeds were provided from Gardners to both Pratt parties.

A third deed, Instrument No. 703393, was provided. It sold the ground owned by Gary and Anita Pratt to an unrelated party, but reserved the water rights for Gary and Anita Pratt.

Gary and Anita Pratt signed the transfer, with the understanding that the water rights' ownership would be transferred completely to Mark and Wendy Pratt. Mark and Wendy Pratt signed the application. The ownership of the water rights will be updated to Mark and Wendy Pratt.

Water Right Validity:

The water rights are valid. They were decreed in 2012. A review of aerial photographs indicates consistent post-decree irrigation of the acres proposed for transfer.

Injury to Other Water Rights:

No apparent injury issues. The watermaster for Water District 27 was notified of the transfer and did not oppose its approval. Because the transfer only proposes to change the place of use, it was not published in the local paper.

Enlargement of Use:

No enlargement issues identified. Neither rate, nor volume, nor irrigated acres are authorized to increase. Combined limits will be carried forward.

Conservation of Water Resources / Local Public Interest

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: January 7, 2019
To: Transfer 82894
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.