

MEMORANDUM

Date: August 10, 2017
To: Transfer 81520
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange the place of use for water right 15-7224 to accommodate the installation of a new center pivot.

Authority to File:

Gary Davis and Terry Davis, who signed the application, have demonstrated the authority to make the proposed changes. Davis Farms Ltd. is the current owners of record for water right 15-7224. owns the water right per department records. According to the Idaho Secretary of State business records, Gary Davis is the authorized agent of Davis Farms Ltd.

According to Oneida County taxlot data, a portion of the existing and proposed place of use is owned by the Davis Family Trust (T-2225 and T-2989). Terry Davis provided a copy of a lease agreement authorizing Terry Davis to farm the property. Another portion of the proposed place of use is owned by Terry Davis. The remaining portion of the proposed place of use and existing place of use is owned by GD Farms LLC (Gary Davis). Application included a letter from GD Farms LLC consenting to the proposed transfer.

Water Right Validity:

The water right is valid. It was licensed in 2012. Review of post-licensing aerial photography demonstrates consistent use of the right.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer's approval. Surface water supplied by Malad Valley Irrigating Company will continue to be available for use at the pre-transfer and post-transfer places of use.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Rate, volume, nor irrigated acres are authorized to increase.

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: August 21, 2017
To: Transfer 81520
From: James Cefalo
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.