

MEMORANDUM

Date: December 3, 2015
To: Transfer 80135
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to rearrange the POU for 7 overlapping rights.

Authority to File:

The applicant, Wayne Perkins, has the authority to file. The application was signed by Thomas Budge, an attorney representing Wayne Perkins. The applicant is the owner of the six water rights according to the department's database.

King Creek Grazing Association, Inc., owns the land from which the water rights will be moved, according to Caribou County taxlot data. A quitclaim deed submitted with the application grants King Creek Grazing Association's interest in the six water rights to Wayne Perkins. Wayne Perkins owns the ground onto which the water right will be moved, according to Caribou County taxlot data.

Water Right Validity:

The water rights are valid. They were decreed in 2004.
Post-decree aerial photography demonstrates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer.
The Watermaster of Water District 29 was notified of the transfer and did not provide comment.

Enlargement of Use:

No enlargement of use will result from this transfer. Neither irrigated acres or rate are authorized to increase.
The partial decrees for the water rights listed a place of use as 60 acres but the rights were limited to a combined total of 59 acres. Upon approval, the place of use is now described as 59 acres.

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.