

MEMORANDUM

Date: June 12, 2015
To: Transfer 80165
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a new (second) POD to groundwater right 29-2379, and rearranges the combined POU for water right 29-2379 and five associated rights.

Authority to File:

The applicant, Carl Phillips, has the authority to file. Phillips owns all five water rights, according to the department's database. He owns all of the land from and onto which the irrigated acres are being rearranged, and the land where POD is proposed to be constructed, according to Caribou County taxlot data.

Water Right Validity:

The water rights are valid. They were decreed in 2005 and 2007. Review of post-decree aerial photography indicates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer.

The initial advertisement contained an error in the legal description of the proposed place of use; the transfer was readvertised correctly. The transfer was protested by McCammon Ditch Company. The protest was withdrawn on the condition that the new well not have perforations in the top 25 feet of the well. The watermaster for water district 29 was notified and attended the pre-hearing conference.

Enlargement of Use:

No enlargement of use will result from this transfer. The transfer does not authorize an increase in rate, volume, or irrigated 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.