

MEMORANDUM

Date: August 3, 2015
To: Transfer 80154
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to split off and change the point of diversion for a 2-acre portion of water rights 34-2383, 34-14050, and 34-14052.

Authority to File:

The Applicants have the authority to file. They own the property at the existing place of use for the 2-acre portion of the water rights. They also own the property at the proposed points of diversion. The applicants assert that IDWR erred by not splitting the water rights during a 2013 ownership change. The current owner of the remaining portion of the rights, June Stevenson, was sent direct notice of the transfer application and did not file a protest.

Water Right Validity:

The water rights are valid. The surface water rights were decreed in 2001, and the groundwater right was decreed in 2002. Review of post-decree aerial photography indicates consistent irrigation at the proposed POU.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The transfer was advertised and no protests were received. The Watermaster was notified of the transfer and did not oppose approval of the application.

Enlargement of Use:

This transfer will not result in an enlargement of use. It does not authorize an increase in rate, volume, or irrigated acres. During the transfer review, I discovered an error in a previous ownership change for water right 34-14052. The acre limit for the right should have been set at 120 acre instead of 130 acres. The correction was made to water right 34-14052 prior to the transfer approval.

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.