

MEMORANDUM

Date: March 26, 2015
To: Transfer 79878
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the POD and updates the ownership for 25 acres of right 15-7312. The POU remains unchanged.

Authority to File:

The applicant, Dan K. Bastian, has the authority to file. The ownership was updated to Dan K. Bastian as part of this transfer.

Dan and Vern Bastian, two signatories on the application, have demonstrated ownership of the land covered by the split portion of the water right through warranty deeds. Additionally, Oneida County taxlot data indicate that they own the property.

Right 15-7312 is owned by Chad Rindlisbacher, who was also a signatory on the application. The application requested an ownership change to Dan K. Bastian.

Water Right Validity:

The water right is valid.

It was licensed in 2008. Review of post-license aerial photography indicates consistent use.

Injury to Other Water Rights:

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

The transfer was advertised and was protested by Samaria Irrigation Company. After a pre-hearing conference, Samaria Irrigation Company withdrew their protest without condition.

Enlargement of Use:

No enlargement of use will result from this transfer.

The transfer does not authorize additional 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.