

MEMORANDUM

Date: March 11, 2015
To: Transfer 79896
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer creates a combined POU from two points of diversion for four water rights: 13-7476, 13-7927, 13-7928, and 13-2220.

13-7476's POU is presented as if Transfer 79895, processed simultaneously with this transfer, has been approved.

Authority to File:

The applicant, Hank Povey, has the authority to file.

The applicant is the owner of all four water rights according to the Department's database.

The applicant is the owner of all of the property on which the water rights sit, with the exception of 15 acres in the SWNW of Section 23, which are owned the applicant's mother, Lorraine Povey. Lorraine Povey signed Transfer 79895, filed simultaneously with this transfer, which moved a portion of right 13-7476 onto these 15 acres. Because the transfers were filed simultaneously, it is assumed that Lorraine knew of this transfer. Also of note, these 15 acres are captured in a combined limit placed on the four water rights in this transfer, and Lorraine's water right, 13-2224.

Water Right Validity:

The water rights are valid.

They were all licensed in either 1979 or 2002.

Aerial photography indicates consistent post-licensing irrigation.

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.

Enlargement of Use:

No enlargement of use will result from this transfer.

The transfer does not authorize increases in rate, volume, or acres irrigated.

Right 13-2224 overlaps 49 acres of the combined POU created in this transfer. A combined limit was placed on the five water rights limiting volume and 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.