

MEMORANDUM

Date: January 21, 2015
To: Transfer 79742
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This is the third of three transfers, filed simultaneously on right 13-2220. The other two transfers are numbered 79738 and 79741. Those transfers changed the POU and the POD for 40.4 acres of 13-2220.

This transfer changes the POD for right 13-2220's remaining 30.7 acres.

Authority to File:

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

The applicant provided a chain of deeds linking him with the original license holder. A "Water Right Agreement" supplied with the application, Instrument Number 262831, explicitly severs 13-2220 from the land onto which it was licensed, and allows the applicant to transfer the right.

Water Right Validity:

The water right is valid. It was licensed on 3/22/1979 as a supplemental right. Review of post-licensing aerial photography indicates consistent irrigation of the 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.

Enlargement of Use:

No enlargement of use will result from this transfer. Rate, irrigated acres, nor volume are authorized to be increased. The transfer defines the right's volume/acre as 1.80 acre feet.

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.