

MEMORANDUM

Date: November 20, 2014
To: Transfer 79664
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the POU for rights 35-14397 and 35-14398 from the SESE and the NESE of Section 4, T02S, R34E, to the NENE of the same Section.

Authority to File:

The applicant, Morgan Enterprises LLC, has the authority to file.

Morgan Enterprises LLC is the owner of both water rights according to Department records.

The signatory, Neil Morgan, is the Manager of Morgan Enterprises according to the LLC's 2014 Annual Report filed with the Idaho Secretary of State.

The land onto which the rights will be transferred is owned by the applicant, according to the Bingham County Tax Assessor's Office.

Water Right Validity:

The water rights are valid as they were rented to the water supply bank at the time the transfer was submitted. At the time of the transfer approval, the Department was processing the applicant's request to release the rights from the supply bank.

Injury to Other Water Rights:

No injury will occur to other water rights as a result of this transfer. The POD will remain unchanged and no enlargement of use is expected.

Enlargement of Use:

No enlargement of use will occur as a result of this transfer. Neither additional rate or irrigated acres are authorized in this transfer.

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.

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Re: Legal Notice Not Required

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11/20/2014

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.