

MEMORANDUM

Date: October 2, 2014
To: Transfer 79402
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a second POD to right 29-14005 in the NWNW of Section 15, T07S, R39E. It also rearranges the POU for stacked rights 29-14005 and 29-2009A, moving 2.6 acres from the SWNW to the SENW of Section 15, T07S, R39E in preparation for the installation of a center pivot.

Authority to File:

The applicant has the authority to file based on Caribou County tax lot data and IDWR ownership records. The applicant owns all of the property in the quarter section in which the water right was decreed, according to Caribou County Tax Assessor records, updated 5/20/2014. The applicant is one of two owners of the water right according to Department records. It is unclear whether the water right is owned by Brian and Michelle or Brian or Michelle. Because the proposed transfer does not move any water off of the property, a single signature from Brian will be sufficient.

Water Right Validity:

The water right is valid. It was decreed on 6/18/2014.

Injury to Other Water Rights:

No injury to other water rights will occur as a result of this transfer. The transfer was advertised as a point of diversion addition for right 29-14005 and no protests were received. After the protest period ended, the applicant elected to update the place of use to reflect the installation of the center pivot. As a result, 2.6 acres were moved as described above for both rights 29-14005 and 29-2009A. The transfer was not re advertised because the acres moved were negligible and were all on the applicant's property. The watermaster for water district 29 was notified of the transfer and had no comments.

Enlargement of Use:

No issues identified. No additional rate, irrigated acres, or volume 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.