

MEMORANDUM

Date: April 24, 2014
To: Transfer 79081
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer will change the POU for rights 11-931, 11-933, and 11-934 to cover the acres currently being irrigated under the water rights. It will also add a second POD, a pump in the Bear River. The pump will be limited to 3.0 cfs. Initially the applicant filed and paid the transfer fee to divert 10.0 cfs from the pump, but later requested that the new diversion be limited to 3.0 cfs. A refund of the difference in the application fee was made.

Authority to File:

The applicants have the authority to file. Keith and Lila Rigby are the current owners of the water rights according to IDWR records. The entire POU east of the Union Pacific right of way is owned by Keith Rigby according to Bear Lake County taxlot data updated 7/8/2013. Parcels 15S45E011800 and 15S46E062500, west of the Union Pacific right of way, were confirmed to be owned by Keith Riby by Jannelle Jensen of the Bear Lake County Assessor's office on 2/13/2014. Keith Rigby also owns the property at both PODs.

Water Right Validity:

The three water rights are valid. All were part of the 1924 Bear River Decree, and according to aerial photography have been consistently irrigated.

Injury to Other Water Rights:

No issues have been identified and no other water rights are expected to be injured. Neither rate nor volume will increase as a result of the transfer.

Enlargement of Use:

No issues identified. The proposed POU is already being irrigated and the additional POD already exists and is being used.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

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.