

MEMORANDUM

Date: January 2, 2014
To: Transfer 78985
From: Layton Walton
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to adjust the described POU for water rights 35-14112, 35-14114, 35-14116, 35-14118, 35-14120, 35-14122, and 35-14124. The proposed change will reduce the size of 4 separate pivots by 7 acres each to then create one smaller 28 acre pivot in the center of the 4.

Authority to File:

The applicant is the current owner listed on the water rights. Water right ownership is consistent with Jefferson County tax lot data as of 2013. The Idaho Secretary of State Business Entity Search finds applicant to be authorized representative as recently as August, 2012.

Water Right Validity:

Water rights were decreed in 2002. Review of post decree aerial photography indicates regular use of rights; no portion of the rights appears to have been lost due to forfeiture.

Injury to Other Water Rights:

The application for transfer does not propose a change in the physical location of the POD, and therefore should not cause injury to other water users. Application was advertised, no protests were filed. Water right 35-14124 was mistakenly omitted from the legal advertisement. However this transfer is only changing the place of use, and the department usually processes these types of applications without advertisement. It was deemed unnecessary to re-advertise this transfer. Watermaster does not oppose transfer.

Enlargement of Use:

The proposed changes will not result in an enlargement of use. Neither rate, volume, nor acres will increase as a result of the transfer.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.