

MEMORANDUM

Date: February 14, 2017
To: Transfer 81449
From: Kerrie Mathews
Re: New Transfer Created

Transfer No. 81449 for water rights 33-44, 33-45, 33-46, 33-47, 33-2056, 33-2068B, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B and 33-7038 proposes to correct a point of diversion and combine the place of use for all of the rights. During the processing of this application a discrepancy was found in a previous transfer # 70402 approved in March 2003. Water right 33-2068B was included in the previous transfer. This water right had three points of diversion prior to the transfer. It was advertised with three POD's. On the final approval documents for #70402, water right 33-2068B only had one point of diversion. The file contained no information as to why the POD's were changed. I talked with Rod Pancheri regarding this error - I sent him a map through email. Mr. Pancheri verified that the water right has been used with the three points of diversion. The points of diversion were corrected within this transfer.

Authority to file:

The water rights and place of use are currently in the name of Pacheri Inc. The application was signed by Rod Pancheri, who has signature authority for the operation.

Validity of the Water Right:

Water rights 33-44, 33-2056, 33-2068B, 33-2093 and 33-2126B were decreed on May 20, 2002. Water rights 33-45, 33-46 and 33-47 were decreed on May 1, 2002. Water rights 33-2113, 33-2094, 33-2126A and 33-7038 were decreed on August 11, 2000, 1996. Aerial photography shows consistent irrigation. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury to other water rights was identified. The application was advertised, no protests were received. The water master for WD120 was notified of the transfer and did not oppose the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this transfer application.