

MEMORANDUM

Date: November 30, 2016

To: Transfer 81273

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 81273 proposes to add a point of diversion and correct a point of diversion for water rights 34-784, 34-785, 34-783, 34-14439, 34-14440 and 34-14441. The point of diversion correction is a slight adjustment for the point listed in the NWSW of Section 36. The QQ will not change, only the Department's shapefile. The added (new) point of diversion is located in the NESW of Section 36.

Authority to file:

All of the water rights are diverted through common ditches from Antelope Creek. Water rights 34-784, 34-785 and 34-786 are owned by Tommy Waddoups LLC. Water rights 34-14439, 34-14440 and 34-14441 are owned by the State of Idaho (Dept of Lands). Water rights 34-14439 thru 34-14441 were split from 34-784 thru 34-786 in a 2014 ownership change.

According to Butte County taxlot records, the respective places of use are still owned by Tommy Waddoups LLC and the State of Idaho. The application was signed by Robert Harris, attorney for Tommy Waddoups LLC and by Bill Haagenson, a representative for the State of Idaho.

Validity of the Water Right:

All of the water rights were decreed on December 14 2001. 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 WD34 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.