

MEMORANDUM

Date: July 15, 2015
To: Transfer 79935
From: Kerrie Mathews
Re: Transfer Evaluation

Transfer No. 79935 for water rights 22-178A and 22-179B proposes to split off a portion of each right, drying up 1.2 acres to mitigate for the evaporation losses of a new recreation pond. It appears that the ground water table is high enough that the pond will fill through seepage. The water necessary to cover the initial fill of the pond will be rented from the Water Supply Bank, no additional refill or maintenance will be needed.

Authority to file:

The water rights are currently in the name of James, Jacklyn, Jeffrey and Darcy Klausman. The current place of use is in the name of Jeffery Klausman. The application contained a ownership change request and the required documentation to update the ownership of the parent rights and the split portions. The new place of use for the split portion is owned by Woods Creek 2 LLC. There are no security interests on the water rights. An ownership change from the Klausman's to Woods Creek 2 LLC is expected in the future.

Validity of the Water Right:

Water rights 22-178A and 22-179B were decreed on November 24, 2008. There is not clear and convincing evidence that the portion of water right 22-178A and 22-179B being transferred has been forfeited for nonuse.

Injury to Other Water Rights:

No injury to other water rights was identified. The application was advertised. Fremont-Madison Irrigation Dist. initially protested the application, but later withdrew its protest. The water master for WD1 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.