

MEMORANDUM

Date: August 27, 2014

To: Transfer 79349

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer 79349 proposes to rearrange the place of use for water right 74-15873 to reflect actual irrigation.

Authority to file:

The water right is still in the name of Ray and Ruby Skinner. Transfer application was filed by Jim and Judy Skinner and the Skinner Family Trust. Application was signed by Jim and Judy Skinner. A large portion (35.2 acres) of the proposed place of use is in the name of the Skinner Family Trust according to Lemhi County tax data. 2.6 acres of the proposed place of use is on property owned by Jim and Judy Skinner. In its current state, water right 74-15873 covers 2.5 acre of the Jim & Judy Skinner property and 35.3 acres of the Skinner Family Trust property.

IDWR requested documents showing the conveyance of the property from Ray & Ruby Skinner to Jim & Judy Skinner and the Skinner Family Trust. IDWR also requested documents showing who is authorized to sign the application on behalf of the Skinner Family Trust. In spite of multiple requests, the documents have never been provided.

Ultimately, it was decided to move forward with the transfer without the documentation. It is highly likely that the water and land were conveyed to the applicants. The transfer does not move the water right off of the property. The transfer does not change the proportion of acres between the Skinner Trust property and the Jim & Judy Skinner property. The transfer is also needed because it corrects the place of use for water right 74-15873 to match current and historic irrigation practices.

Validity of the Water Right:

Water right 74-15873 was decreed on July 9, 2007. 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.

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.