

MEMORANDUM

Date: January 22, 2014
To: Transfer 79056
From: Heather Bohac
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to relocate water right 31-11427 as described in a property exchange between neighbors (Lyle & Karlene Shupe and Arlin & Coralle Knight). Each party involved retained their original water rights through this property exchange. Arlin Knight has already transferred his water rights to his property (transfer 77576). A detailed description of the agreement was provided in this transfer application.

Authority to File:

Karlene Shupe filed the transfer and IDWR records show her to be an owner of 31-11427. Lyle Shupe is also listed as an owner and is recently deceased. The name connector on water right is "OR". 2013 Jefferson County taxlot data indicates that Lyle Shupe is the owner of the land at the proposed POD and POU and the Knights currently own the property at the current POD and POU. Documentation provided shows that the Knights agreed to allow the removal of water right 31-11427 from their property.

The application for transfer requests that 3.6 acres be listed in T07N, R36E, Sec 28 SWNW. However, Shupes do not own any property in the SWNW of Sec 28. The error is caused by a slight shift in the PLSS layer when rectified with aerial photography. Because Lyle Shupe does not own property in this QQ these acres have listed under the SWNE and SENE of T07N, R36E, Sec 29. The map provided with the transfer makes it clear where the transferred acres should be located.

Water Right Validity:

Water right 31-11427 was decreed on 2/22/2002 in the SRBA. It is currently active and 2013 aerial photography shows land consistently being irrigated at the current and proposed places of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No issues identified. Water right is within WD 110 and the ESPA. The current and proposed points of diversion involved in this transfer are located in adjacent cells in the ESPA model grid. No model analysis was necessary. The WD 110 watermaster does not oppose this transfer. This transfer was advertised and no protests were received.

Enlargement of Use:

No issues identified.

Local Public interest:

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.