

MEMORANDUM

Date: February 3, 2014
To: Transfer 78389
From: Kerrie Mathews
Re: Transfer Evaluation

Transfer No. 78389 for water rights 74-955, 74-957, and 74-284B proposes to split a portion of 74-284B and combine with the place of use for 74-955 and 74-957. The rights in combination will authorize the irrigation of 158.5 acres. An ownership change for the split portion will be processed and the point of diversion updated. Water right 74-7272 was added as an associated right. Water right 74-7272 was licensed on Jan. 31, 2014 and describes the same 158.5 acre place of use.

Authority to file:

Water rights 74-955, and 74-957 are currently in the name of Scott and Eunice Tyler. Water right 74-284B is currently in the name of Margaret & Richard Tyler. The applicant produced warranty deeds establishing ownership of a portion of water right 74-284B. The current place of use is in the name of Eunice and Scott Tyler.

Validity of the Water Right:

Water rights 74-955 and 74-957, were decreed on July 9, 2007. Water right 74-284B was decreed on April 3, 2012. Water right 74-7272 was licensed on January 31, 2014. 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 WD74Q was notified of the transfer and did not provide comments.

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.