

MEMORANDUM

Date: December 12, 2013

To: Transfer 78926

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78926 for water right 22-14026 proposes to split 6.3 acres. The new water right created by this split (22-14104) will be moved 13 miles up the watershed with a new POD and POU.

Water right 22-14026 is currently leased to the Water Supply Bank. Water right 22-14026 is not currently rented from the water supply bank. The memo "Transfers & Water Supply Bank Coordinated Processing" establishes that a water right that is currently leased to the water supply bank, not rented, and processed during the non-irrigation season may be approved. The right will still remain leased to the water supply bank, if in the future the applicant wishes to use the water it must be removed from the Water Supply Bank by submitting a release form. The applicants representative was contacted and informed of the requirement to release the water prior to use.

Authority to file:

The water right is currently in the name of Gary and Shannon Summers. The split portion of this right (22-14104) will also be in the name of Gary and Shannon Summers. The current place of use for the 6.3 acres proposed to be split is in the name of Dennis and Lanice Murphy and Marvin and Barbara Rieb. The application contained grant deeds releasing their interest in the water right. The new place of use is in the name of Victor Cemetery District. Once the transfer is approved Victor Cemetery District will submit an ownership change. The application contained a copy of the sales agreement between Gary and Shannon Summers and the Victor Cemetery District. The application was signed by Gary and Shannon Summers.

Validity of the Water Right:

Water right 22-14026 was decreed on November 24, 2008. The water right is currently leased to the Water Supply Bank and 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 new water right will be listed within Water District 1 boundaries, the water right is for ground water and not actively managed by the district, the water master was not contacted.

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.