

MEMORANDUM

Date: December 4, 2013

To: Transfer 78789

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78789 for water rights 35-13271B, 35-2312D, 35-7477D, 35-7505, 35-7759, 35-7882B, 35-7883, 35-7953A, 35-7953B, 35-8143, 35-8747A, 35-8747B and 35-9050, proposes to correct and combine the place of use. In addition, a 6 acre portion of water right 35-2271 will be split, the ownership updated, new points of diversion added and the place of use will be combined with all of the water rights.

Authority to file:

All of the water rights except 35-2271 are currently in the name of Ruff Times Farms or Ruff Times Two Farms. Doug Ruff has signature authority for both entities. Water right 35-2271 is currently in the name of Sherman Ruff, a quit claim deed was included with the transfer application conveying ownership of a portion of 35-2271 to Ruff Times Farms. The current place of use is in the name of Ruff Times Farms.

Validity of the Water Right:

Water rights 35-13271B, 35-2312D, 35-7477D, 35-7505, 35-7759, 35-7882B, 35-7883, 35-7953A, 35-7953B, 35-8143, 35-8747A, 35-8747B and 35-9050 were all decreed in the SRBA. 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. An ESPA analysis was conducted the move will not impact other users. The application was advertised, no protests were received. The watermaster for WD120 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.