

## MEMORANDUM

**Date:** November 12, 2013

**To:** Transfer 78871

**From:** Kerrie Mathews

**Re:** Transfer Evaluation

Transfer No. 78871 for water rights 35-14349 and 35-14350, proposes to add a point of diversion.

The original application contained an error in the legal description for one of the points of diversion. An amended application was sent to the applicant correcting this error by maintaining the existing point of diversion while adding one additional point of diversion.

**Authority to file:**

Water right 35-14349 and 35-14350 are currently in the name of Lori and Val Wahlen. The current place of use is also in the name of Lori and Val Wahlen. There is a security interest on these water rights. However, no water will be moved off this property. Therefore, a security interest release is not required.

**Validity of the Water Right:**

Water right 35-14349 was decreed on November 17, 2000. Water right 35-14350 was decreed on March 30, 2012. 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. No ESPA analysis was conducted, the new point of diversion will be located in an adjacent cell and would not require an ESPA analysis. The application was advertised, no protests were received. The watermaster for WD120 was notified of the transfer and did not oppose the transfer.

**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.