

MEMORANDUM

Date: October 3, 2013
To: Transfer 78749
From: Scott Bergendorf
Re: Comment/Analysis

This transfer proposes to change the place of use for the water right 13-2047. The place of use was listed incorrectly on the water right license (issued in 1920). This transfer will move the water right place of use to the property owned by Leander Boyce in 1920. The current owners, Kenneth and Renell Kendall, have been using water from the Unnamed Lake for the entire time they have owned the property. See the ownership change completed in July 2013 for more information about the property homesteaded by Leander Boyce.

Water right 13-2047 overlaps the service area for right 13-2067 which is owned by Oxford Reservoir and Irrigation Co. Both rights are diverted to a regulation pond which is then used to irrigate POU. The POU was drawn in reference to the aerial imagery. The PLSS layer in this layer in this area is shifted somewhat to the northeast and does not agree with visible fence lines. Season of use has been updated to the standard date.

Authority to File:

The applicant is the current owner of water right per IDWR record and owner of proposed place of use per tax lot information.

Water Right Validity:

Water Right was licensed in 1979. 2011 aerial photography shows the land at the correct place of use for water right 13-2047 being irrigated. Forfeiture is not an issue.

Injury to other Water Rights:

This transfer was advertised and was not protested. Water right has historically been used at the proposed transfer location. Injury to other users will not be an issue. Watermaster has no objections to transfer.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.