

MEMORANDUM

Date: October 2, 2013

To: Transfer
78558

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78558 proposes to create a combined place of use for water rights 34-7118B, 34-7186A & 34-7186B. A companion transfer no. 78556 was also filed to split and move 90 acres from 34-7118B. The 90-acre portion moved does not overlap rights 34-7186A or 34-7186B.

Authority to file:

Water rights 34-7118B, 34-7186A & 34-7186B are currently in the name of Gary Rogers. The current place of use is in the name of Gary Rogers. The water rights at the time the transfer application was submitted included a security interest held by Zion's First National Bank. Zion's submitted documentation on May 10, 2013 releasing their interest in water rights 34-7118B, 34-7186A & 34-7186B.

Validity of the Water Right:

Water rights 34-7118B, 34-7186A & 34-7186B were decreed on February 6, 2002. Aerial photography does not show consistent irrigation. Forfeiture was analyzed and discussed with the applicant. On August 5, 2013 the applicant submitted an affidavit stating that through the 2013 irrigation season the areas in question received irrigation with the use of hand lines.

Injury to Other Water Rights:

No injury to other water rights was identified. An ESPA analysis was not conducted, no POD change is proposed in this transfer. The application was advertised, no protests were received. The water master for WD34 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.