

MEMORANDUM

Date: September 9, 2013

To: Transfer
78730

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78730 for water rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 proposes to split a 5-acre portion of the combined water rights, move the split portion to a new place of use with a new point of diversion and update the ownership.

The water rights referenced above are part of a package that included an ownership change and three transfers. Based on guidance supplied by IDWR administrators, the various filings did not need to include separate ownership split fees for splitting the water rights multiple times. Per supplied guidelines the split fee only needed to be paid once.

Transfer application originally proposed creating a new point of diversion on Rainey Creek. Application was amended to propose an existing ditch (Bills Ditch) as the point of diversion for the rights.

The water right split calculations provided by Rocky Mountain Environmental Associates were incorrect. Slight adjustments were needed to make the water right splits proportionate to the division of the water right place of use. See attached spreadsheet for correct water right splits.

Authority to file:

Water rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 are currently in the name of Swan Valley Properties. The applicant supplied all relevant documentation establishing ownership of a portion of each of the rights.

Validity of the Water Right:

Water right 23-11356 was decreed on October 21, 2004. Water rights 23-11358, 23-11360, 23-11362 and 23-11364 were decreed on January 5, 2005. 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. The application was advertised, no protests were received. The watermaster for WD01 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.

Split of Swan Valley Properties LLC's Water Rights

[illegible]