

MEMORANDUM

Date: July 12, 2013

To: Transfer
78387

From: Kerrie Mathews

Re: transfer evaluation

Transfer No. 78387 for water rights 74-282A, 74-283A and 74-284A proposes to combine the place of use, add a point of diversion, and update the ownership of each right.

Authority to file:

Water right 74-282A, 74-283A and 74-284A are currently in the name of Robert and Norma Carlson. The place of use is currently in the name of Norma Carlson. The applicant provided warranty deeds establishing ownership of the water rights and the place of use.

Validity of the Water Right:

Water rights 74-282A, 74-283A and 74-284A were decreed on July 9, 2007. Aerial photography shows consistent irrigation, forfeiture is not an issue.

Injury to Other Water Rights:

No injury to other water rights was identified. The application was advertised, two protests were received. The first protest received from the BLM indicated that a portion of the place of use was located on BLM property. An amended application was submitted correcting this clerical error. BLM's protest was withdrawn on April 10, 2013. A protest was also received from Steven Johnson indicating that the use of the new POD would cause excess conveyance loss. A private agreement was reached between the applicant and the protestant. Steven Johnson withdrew his protest on July 11, 2013. The watermaster for WD74Q 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.