

MEMORANDUM

Date: June 24, 2013

To: Transfer
78527

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78527 for water right 22-14026, proposes to split 0.12 cfs (10 acres) and move to a new POD and POU. An ownership change will be submitted upon approval of this transfer.

During the transfer review, I found that water right 22-7671 was recently licensed and is appurtenant to the new place of use for the split portion. Water right 22-7671 is currently in the name of Lyle and Lynn Schiess. At the time water right application 22-7671 was filed Lyle & Lynn Schiess were leasing the irrigated acres from the George Spencer Trust. Water right 22-14026 & 22-7671 have not been used in conjunction and this transfer does not stack these two rights.

Authority to file:

Water right 22-14026 is currently in the name of Gary & Shannon Summers. The current place of use is in the name of Kim Summers, Isis Asya Summers, Marvin and Barbara Rieb, and Anna Brown. The transfer application contained notarized releases from each of the property owners. In addition a sales agreement between the Summer's and Brandon Harrison for the sale of .12 cfs of water right 22-14026 was included.

Validity of the Water Right:

Water rights 22-14026 was licensed on November 15, 2011. 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 application was advertised, no protests were received. The water master for WD01 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.