

MEMORANDUM

Date: April 29, 2013

To: Transfer
78484

From: Blake Jordan

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for a portion of water rights 22-13278, 22-13280, and 22-2195A. This transfer will also rearrange the place of use for water rights 22-2271D, 22-7052A, 22-7167A and 22-7439. The applicant is seeking to move 60.0 acres from water rights 22-13278, 22-13280 and 22-2195A, and combine it with water rights 22-2271D, 22-7052A, 22-7167A and 22-7439 to create a 692.0 combined place of use. The applicant will be using existing wells. This transfer was filed in response to a Notice of Violation.

This transfer also proposes to correct a legal description discrepancy for one of the points of diversion described under water right 22-2271D.

Authority to File: The applicant is the current owner of water rights per IDWR record. The portion of water rights 22-13278, 22-13280 and 22-2195A involved in this transfer is appurtenant to property owned Michael and Kathy Howard. The applicant provided a release letter from the Howards stating that they have no interest in the water rights. The applicant is the current owner of the proposed place of use. The applicant has a mortgage or contract through Northwest Farm Credit Services, who provided a letter indicating that it does not oppose the transfer.

Water Right Validity:

Water right 22-7439 was licensed in 2013. The rest of the water rights involved in this transfer were decreed in 2008. 2011 aerial photography shows land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA smooth model boundary. ESPA analysis indicates that no mitigation is required. These ground water rights are not within a water district. This transfer was advertised and there are no protests.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.