

MEMORANDUM

Date: April 2, 2013
To: Transfer
78435
From: Denise Kidman
Re: Transfer Evaluation

The purpose of this transfer is to rearrange the place of use to make use of better ground. The applicant wants to run the pivot in the NW of T10S R36E Sec 28 three quarters of a rotation instead of half rotation. The applicant proposes to dry up 32 acres in the N½SE of T10S R36E Sec 27.

Part 2B was inadvertently filled out but the right will not be split.

Authority to File:

Minerva Woodland Trust (MWT) is the owner of this water right and owns the land to which it is appurtenant. Bannock County taxlot data confirms ownership of the property. KAP Properties LLC (KAP) is the owner of the 32 acres in Section 28 but plans on selling the property to MWT. An Authorization Letter accompanied the transfer allowing acres to be moved from MWT's property to KAP's property. MWT will remain owner of the water right.

Water Right Validity:

Water Right 29-7153 was decreed in the SRBA on 3/22/2004. Acres have been actively irrigated since that time. The 20 of the 32 acres being transferred have been in CRP but were removed in 2010. The CRP contract was submitted with the transfer. Forfeiture is not an issue.

Injury to Other Water Rights:

Injury to other water rights does not appear to be an issue.

Enlargement of Use

No apparent increase will result from this transfer.

Local Public Interest

No negative impacts anticipated.

Beneficial Use/Conservation of Water Resources

No issue 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.

The application has been advertised in the Idaho State Journal which resulted in no protests filed.