

MEMORANDUM

Date: February 19, 2013

To: Transfer
78265

From: Denise Kidman

Re: Transfer Evaluation

This transfer proposes to change PODs and create a single combined place of use for seven water rights. Well(s) in T07N R34E Sec 5 NESE will be removed from all rights because the applicant discontinued using them. Rights 31-2299 and 31-2415 add a POD located in T07N R34E Sec 18 NESE. Right 31-7320 adds a POD located in T07N R34E Sec 18 NESE and a POD located in T07N R33E Sec 13 SWNESE. The water rights listed in the transfer application share combined limits with water rights 31-160A, 31-161A, 31-4011B, 31-4012, and 31-10652, which are not owned by Tony or Shyla Sauer and are associated with other property. The combined limits are not being changed as part of this transfer. Therefore, these other rights were not added to the transfer as associated rights.

Authority to File:

The applicant is the owner of the land and is the listed current owner of the subject water rights. Warranty deeds were provided with the application and confirmed with Jefferson County.

Validity:

The subject rights were decreed in the SRBA on May 2003. 2009 and 2011 aerial photography shows land has been consistently irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Rights are inside the ESPA boundary. The location of the PODs added to the three water rights fall within adjacent cells so the ESPA model analysis is not required. No injury issues identified.

Watermaster for WD 110 does not oppose the transfer.

Enlargement of Use:

There is no evidence of an enlargement. No additional acres will be irrigated.

Local Public Interest:

No issue 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.

The application has been advertised in The Jefferson Star and no protests were filed.