

MEMORANDUM

Date: January 9, 2013

To: Transfer
78366

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78366 for water rights 33-32A, 33-33A, 33-35A, 33-2068A, 33-10997 and 33-7202 proposes to split 10 acres (.11 cfs & 35 af) off of 33-7202 and combine the split portion (33-14944) and the balance of the rights to adjust the place of use. The split portion 33-14944 will also have a new POD consistent with the existing water rights. This transfer corrects the place of use based on a potential NOV sent to the applicant on January 13, 2012.

Water rights 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-10998 and 33-10070 were added to this transfer application as associated rights. These rights overlap right 33-7202. Each of the rights were reduced by the split portion (10 acres) and the combined place of use and conditions were updated to reflect the reduction.

Authority to file:

Water rights 33-32A, 33-33A, 33-35A, 33-2068A, 33-10997 and 33-7202 are currently in the name of Pancheri Inc. The proposed place of use for these water rights is owned by the same corporation.

Validity of the Water Right:

Water rights 33-32A and 33-33A were decreed in the SRBA on August 8, 2000. Water right 33-10997 was decreed on March 6, 2002. Water rights 33-35A, 33-2068A and 33-7202 were decreed on May 1, 2002. 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. The application was advertised. The BLM protested the application on May 24, 2012. Citing that the applicant would be applying water to Federal property. The applicant made changes to the existing irrigation system (shutting off the end guns over certain areas of the pivot). The application was amended to exclude property located in T09N R27E S34 NESW & SWSE. The BLM was notified of the revised application and withdrew the protest on 2-25-2013. The watermaster for WD33 was notified of the transfer, but 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.