

MEMORANDUM

Date: March 8, 2013

To: Transfer
78399

From: Denise Kidman

Re: Transfer Evaluation

The purpose of this transfer is to rearrange the place of use to incorporate a new pivot being installed. The applicant wants to dry up corners from the N ½ of T09S R40E Sec 18 and transfer 44 acres to portions of Section 12 and Section 13 for the new pivot.

Authority to File:

The transfer was filed by Chad Neibaur for Gem Valley Farms, Inc. Chad Neibaur is recorded as the Initial Registered Agent with Idaho Secretary of State. The county tax lot data lists the owner of the 'from' property as Neibaur Farm Enterprises. Neibaur Farm Enterprises is not registered with the Idaho Secretary of State. County tax lot data lists the owner of the 'to' property as Chad Neibaur.

Water Right Validity:

Water Right 29-7070 was decreed in the SRBA on 3/22/2004. Acres have been actively irrigated since that time. Forfeiture is not an issue.

Injury to Other Water Rights:

Injury to other water rights does not appear to be an issue. Watermaster for Water District 13T does not oppose the transfer. Not advertised.

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.