MEMORANDUM

Date: December 17, 2012

To: Transfer
78308

From: Kerrie Mathews

Re: Transfer Evaluation

Transfer No. 78308 for water rights 34-440B, 34-638A, 34-637C, 34-2365 and 34-7239A proposes to add a point of diversion to the surface water rights and to create a combined POU for the rights. This transfer does not affect the POD s for the ground water rights, they will remain the same. This transfer was originally entered under transfer No. 78071, with the change to the new transfer data entry system a new number had to be assigned.

Authority to File:
Water right 34-440B is in the name of John Powers. Water rights 34-637C, 34-638A and 34-2365 are in the name of John and Patrick Powers. Water right 34-7239A is in the name of The John Powers Trust. John and Patrick signed the transfer application. Documentation from the John Powers Trust was provided, showing that John Powers has the authority to sign on behalf of the Trust. The proposed place of use is owned by John Powers, Patrick Powers and the John Powers Trust.

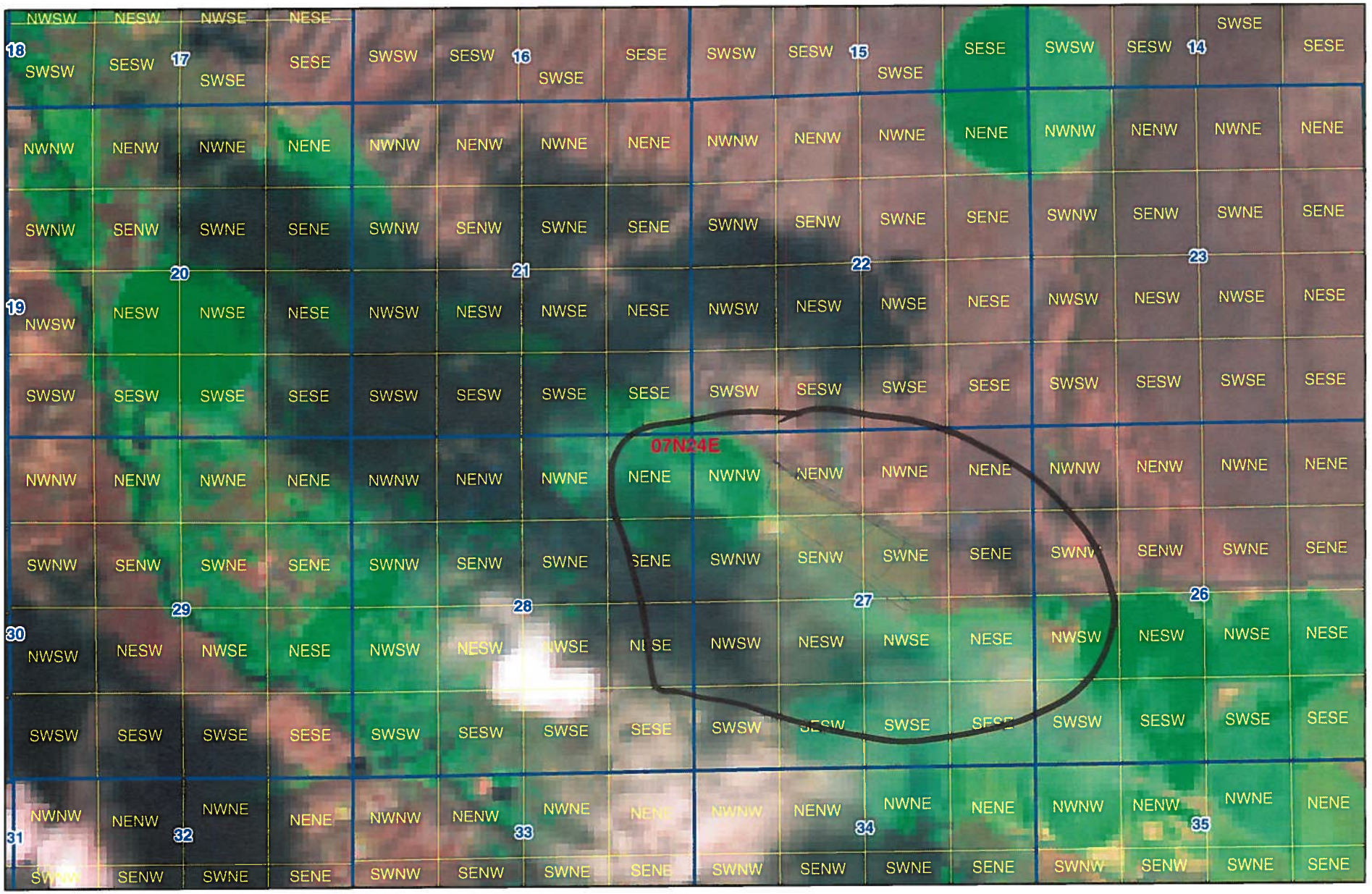
Validity of the Water Right:
Water right 34-440B was decreed on June 4, 2001. Water rights 34-637C, 34-638A and 34-2365 were decreed on December 14, 2001. Water right 34-7239A was licensed on March 31, 2010. Forfeiture does not appear to be an issue. Satellite photography for 2009 shows that the entire POU was irrigated.

Injury to Other Water Rights:
No injury to other water rights was identified. The application was advertised. No protests were filed. The Water Master for WD34 does not oppose the application.

Enlargement of Use:
No issues identified. Water rights will continue to be limited to the specific acres listed on the rights.

Local Public Interest:
No issues identified.

Beneficial Use/Conservation of Water Resources:



2009 Sat Imagery