

MEMORANDUM

Date: December 5, 2012
To: Transfer 78119
From: D. Dunn
Re: Transfer Evaluation

This transfer proposes to change a portion of water right 17-7041 to cover land currently being irrigated. The installation of a circle pivot allows the corners that are no longer being irrigated to be moved. The point of diversion is not being changed.

Authority to File: The applicant is the current owner of the ground being irrigated and water right 17-7041 according to the title provided by him. Oneida County tax lot data also show the applicant owns the ground covered by water right 17-7041 involved in the transfer.

Water Right Validity: Current aerial photography available to IDWR does not indicate any lapse in use of water right 17-7041.

Correction to Transfer Application: One acre of water from 17-7041 was mistakenly described as being appurtenant to the SESW of Section 28, Township 14 South, Range 33 East when it should have been applied to the SESE of Section 28, Township 14 South, Range 33 East. Mr. Daniels does not own any property in the SESW of Section 28. A corrected part 3 was added to file reflecting this change.

Injury to Other Water Rights: The current point of diversion is not moving nor is additional water beyond what is currently being diverted being sought. There is no apparent injury to other water right holders.

Enlargement of Use: No issues identified.

Local Public Interest: None Identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds the proposed transfer is consistent with the criteria set forth in Section 42-222, Idaho Code. Therefore nothing prevents the processing and approval of this transfer.