

MEMORANDUM

Date: October 04, 2012
To: Transfer 78133
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use for water right 13-620. Ireland bank (applicant) is seeking to update water right 13-620 to reflect current irrigation practices. A new point of diversion located in Lot 2 (SWNW) of 11S, 40E, Section 18 was installed in the past to supply water via gravity pipeline system to irrigate land located in the N1/2 of 11S, 40E, Section 17.

The PLS grid does not match up with survey lines in this area. Aerial photography shows where the locally recognized boundaries are located. The place of use description listed in this transfer coincides with the deeds and fences rather than with the PLS grid.

Authority to File:

The applicant is the current owner of water right 13-620 per IDWR record. Ireland Bank submitted an ownership change in August, 2012 for all of water right 13-620, which was approved. Applicant is the owner of property for the proposed place of use per Caribou County taxlot data (updated September 28, 2012). The application indicates that Ireland Bank is the property owner at the proposed point of diversion. According to Caribou County taxlot data (updated September 28, 2012) Carter Farms and Ranches INC. is the property owner at the proposed point of diversion. The proposed point of diversion was installed in the past and has been used as part of the irrigation system for water right 13-620.

Validity:

Old decreed water right. Aerial photography does not show clear evidence of forfeiture. At this time, forfeiture is not an issue.

Injury to Other Water Rights:

Within Water District 11. Water master did not submit comments. This transfer was advertised and there are no protests.

Enlargement of Use:

No enlargement issues identified.

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 the criteria set forth in Section 42-222, Idaho Code.