

## MEMORANDUM

**Date:** August 10, 2012  
**To:** Transfer 78031  
**From:** kmathews  
**Re:** Transfer Evaluation

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Transfer No. 78031 for water rights 33-7023, 33-7075, 33-7176, 33-14934, 33-14936, 33-14938 and 33-14940 proposes to create a combined place of use for the rights and change the POD of one of the ground water rights.

A companion transfer No. 77856 was approved in July of 2012. Transfer No. 77856 combined and corrected the place of use for water rights 33-61, 33-62, 33-64, 33-2096, 33-7010 and 33-7191, in addition 54 acres were split in proportionate amounts from 33-61, 33-62, and 33-64 to cover irrigation occurring on a different irrigation system within the same general area.

Transfer No. 78031 will consolidate the split acres from transfer 77856 with 33-7023, 33-7075 and 33-7176 to create one combined place of use for this irrigation system.

**Authority to file:**

Water rights 33-7023, 33-7075, 33-7176, 33-14934, 33-14936, 33-14938 and 33-14940 are currently in the name of Carol or Rocky Ross or Donald or Billie Phillips. The proposed place of use for these water rights is owned by the same individuals. There is a lien-holder on the property. However, since no water was moved off of the property, an approval from the lien-holder was not obtained.

**Validity of the Water Right:**

Water rights 33-7023, 33-7075, 33-14934, 33-14936, 33-14938 and 33-14940 were decreed on August 11, 2000. Water right 33-7176 was licensed on March 22, 2012. Aerial photography shows consistent irrigation since that time. Forfeiture does not appear to be an issue.

**Injury to Other Water Rights:**

No injury to other water rights was identified. Although there was a POD change, the application was not advertised. The POD for 33-7075 will move .3 miles north of the current location. The new location is an existing well within the property boundaries of the applicant and appears to be hydraulically connected with the existing well, due to their proximity to each other and the river. There are no other ground water rights within a two mile radius that could be impacted by this change. 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.