

MEMORANDUM

Date: March 06, 2012
To: Transfer 77783
From: dkidman
Re: Transfer Approval

This transfer proposes to create a combined place of use with no change to the POD. The POU of water right 35-13931 will be combined with 35-13932, 35-14099, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111. The combined place of use will consist of 749 acres.

The fee charged for the transfer was \$660 which is consistent with the 2.82 cfs being transferred in right 35-13931.

Authority to File:

Foster Company is listed as the current owner for all nine rights. Warranty deeds were submitted with the application to confirm ownership.

Water Right Validity:

All rights involved were decreed in the SRBA in 2002. A portion of rights 35-13931, 35-13932, 35-14099, 35-14103, 35-14105, 35-14107, 35-14109 and 35-14111 were in the Water Supply Bank. Foster Company has submitted a request to release all of the acres in the water bank. Review of 2006, 2009 and 2011 aerial photography does not show any indication of forfeiture. Forfeiture is not an issue.

Injury to Other Water Rights:

Transfer application is inside the ESPA and in Water District 120. There is no change to the POD therefore the ESPAM analysis is not required. Watermaster for WD 120 did not oppose the transfer. Advertising not required.

Enlargement of Use:

No apparent increase will result from this transfer. Combined use limits will be carried forward.

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.