

MEMORANDUM

Date: December 7, 2011
To: Transfer 77615
From: kmathews
Re: Transfer approval

Transfer No. 77615 for water right no. 73-12052 proposes to change the place of use to resolve a BLM objection filed with the SRBA court. This claim was submitted with two acres of irrigation on BLM property. The applicant in an effort to address the objection and correct the water right proposes to dry up two acres currently under irrigation on BLM property and bring into production two acres directly south, currently owned by the applicant.

Authority to file:

The water right is currently in the name of Richard Kraatz. The two acres being dried up are currently in the name of the BLM, however this agency has requested that the applicant move the water, and correct the place of use. A letter requesting comments was sent to both the BLM and the Water Master for Water District 73, neither entity responded to the Departments request.

Validity of the Water Right:

The water right is currently at the recommendation stage, this claim transfer will allow that process to move forward. Forfeiture is not an issue.

Injury to Other Water Rights:

Because there will be no change in point of diversion and a minimal change to the irrigated place of use, the transfer does not need to be advertised. No injury to other water rights was found.

Enlargement of Use:

No 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 criteria set forth in Section 42-222 Idaho Code preventing processing of this transfer application.