

MEMORANDUM

Date: August 11, 2011
To: Transfer 77428
From: kmathews
Re: Transfer approval

This transfer proposes to change the place of use for water right 29-13158. The applicants are seeking to correct the place of use. Acres in 08S31E29 NWSW & SWSW are being dried up to cover 23 acres currently under circle irrigation in 08S31E31 SENE & SWNW. The applicants will be using the existing points of diversions described under right 29-13158.

Authority to File:

The applicants are the current owners of water rights per IDWR record. The property owner is not listed as the applicant on the most recent layer of tax-lot information for GIS software. The applicant has provided a 2010 Tax Statement, from Power County describing the place of use and showing that Samuel W Isaak is the owner of the revised place of use. Idaho AgCredit formerly Eastern Idaho Agricultural Credit Association has a lien on the water right involved in this transfer. Idaho AgCredit has provided a consent letter authorizing the transfer.

This water right was decreed in 2004. 2009 & historical aerial photography shows 244.0 acres of land being irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

The place of use is inside the ESPA and within WD 120. However, since the total irrigated acres will not change, and only a slight correction in the place of use is occurring, there is no impact on the aquifer and no ESPA analysis is required. The transfer was not advertised, as this is only a small change within the existing farm property. Watermaster does not oppose transfer. No injury issues identified.

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 application.