

MEMORANDUM

Date: June 28, 2011
To: Transfer 77273
From: kmathews
Re: Transfer approval

This transfer proposes to change the point of diversion for water right 29-13767. There is no change in the place of use or the acres irrigated, this transfer only changes the point of diversion from a ditch out of Mink Creek that runs across the neighbors property to a pump which pulls directly out of Mink Creek which is adjacent to the applicants property. The exact location of the proposed pump is unknown. The map included with the transfer application was prepared by IDWR. Even though the application listed the new point of diversion to the 10 acre tract, in order to give the water user the maximum amount of flexibility in placement of the pump, the new point of diversion will only be described to the 40 acre tract.

Authority to File:

The applicant is the current owner of water right per IDWR record, and the proposed point of diversion according to Bannock County tax-lot data (updated in June 28, 2010).

Decreed water rights:

2009 aerial photography shows 1.50 acres of land being irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

The water right is inside the ESPA and within WD 29D. As a surface water right with no change in the amount of water there is no mitigation required. The transfer was advertised and no protests were forthcoming. The 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.