

M E M O R A N D U M

Date: December 20, 2010
To: Transfer 76815
From: dkidman
Re: Transfer Approval

This transfer proposes to change part of the POU from where it was licensed to where the applicant plans to install a pivot. There will be no changes to the POD.

Authority to File:

Subject land is owned by Peoa River Valley Ranch Land LLC and Triple R Development LLC who are recorded as the water right owners. The applicants have provided warranty deeds showing ownership on the subject land.

Water Right Validity:

This water right was licensed on March 24, 2009. Viewing aerial photography, forfeiture does not appear to be an issue.

Injury to Other Water Rights:

A POU comparison was ran for the transfer proposal and it appears that Samaria Water and Irrigation Co. and three other statutory claims have the same place of use but have surface water as a source. The applicants proposal to maintain the licensed POD and only plan on rearranging the POU should not cause any injury to any other rights.

Enlargement of Use:

No enlargement is apparent.

Local Public Interest:

No issue identified.

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.