

## MEMORANDUM

**Date:** September 22, 2010  
**To:** Transfer 76691  
**From:** bjordan  
**Re:** Transfer Evaluation

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This transfer proposes to add a point of diversion and change the place of use for water right 32-13263. The applicant is adding mini pivots in the corners and is seeking to add a point of diversion enabling them to deliver water to the mini pivots. Two of these mini pivots located in the middle of section nine will be covered by two neighboring irrigation systems and water rights. The place of use for right 32-13263 will be changed to cover the mini pivots located in the middle of section nine. Approved transfer 76692 added a point of diversion for water rights 32-2114 and 32-7074. The end result of these transfers will enable rights 32-2114, 32-7074 and 32-13263 to be diverted out of the same points of diversion and irrigate a portion of the new mini pivots located in the center of section nine. Will be using two existing wells.

### Authority to File:

The applicant is the current owner of water right per warranty deed. The name of the water right currently is in the name of L3 LTD who is Lewis Lavar Newman. The name of the water right will be changed to L1 LTD who also is Lewis Lavar Newman. Applicant submitted warranty deed proving ownership of water right. Lewis Lavar Newman signed the application.

### Water Right Validity:

Decreed in 2000. 2009 aerial photos show land being irrigated. Forfeiture not an issue.

### Injury to Other Water Rights:

Inside the ESPA and within WD 110. The proposed points of diversion are within adjacent cells. No ESPA analysis required. Transfer was advertised and there were no protests. 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 issue 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.