MEMORANDUM

TO: Adjudication Bureau Staff Adjudication Memo No. 53

FROM: Dave Tuthill

DATE: Amended September 30, 2005

RE: Adjudication Recommendations for Out-of-State Diversions or Places of Use

For an out-of-state diversion with place of use in Idaho, prepare recommendations for all elements of the water right.

For point of diversion use the location where the conveyance system enters Idaho. To clarify the point of diversion use this condition:

> The point of diversion for this water right is in [state], [PLS, including meridian]. The point of diversion shown above is where the conveyance system enters Idaho.

To clarify the priority date use this condition:

> The priority date for this water right must be determined by the state of [_____]. The listing of this element is for informational purposes only.

To clarify the quantity use this condition:

> The quantity for this water right must be determined by the state of [_____]. The listing of this element is for informational purposes only.

Notes:

1. Digitize the POD at the location where the conveyance enters the state. This location is useful for spatial queries. Place the actual POD in the SpatialData layer.

2. As the recommendation for an out-of-state diversion is forwarded to the SRBA Court, the format will be changed in the State Office to conform with previous similar submittals.

For an in-state diversion with the place of use out-of-state, prepare recommendations for all elements except place of use. To clarify the place of use, use this condition:

> The place of use for this water right is in [state], and includes [x] acres described as [PLS, including meridian].