

## MEMORANDUM

**Date:** October 5, 2020  
**To:** Transfer 84367  
**From:** James Cefalo  
**Re:** Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion description for water rights 74-361, 74-362, 74-363, 74-364, 74-365, 74-367 and 74-368. These rights are diverted through the same headgate. The point of diversion currently listed on the water rights is located in the SENE of Section 30. The proposed point of diversion is located in the NENE of Section 30. Applicant argues that the point of diversion for the water rights was described incorrectly in the SRBA. The point of diversion listed in the SRBA partial decrees for the rights matches the description set forth in the Lemhi Decree. The map shape for the water rights is a centroid, suggesting that IDWR did not field verify the point of diversion during the SRBA. Earlier this summer, IDWR watermaster, Cindy Yenter, confirmed that the current (actual) point of diversion is located in the NENE of Section 30. There is no evidence that the point of diversion has been changed or moved since partial decrees were issued in the SRBA. This transfer will correct the legal description of the point of diversion, to list the NENE of Section 30.

**Authority to File:** Application was filed by Bruce and Glenda McConnell. McConnells are the owners of record for the water rights and are the owners of record for the existing places of use.

**Water Right Validity:** Water rights were decreed in 2014. Aerial photos show consistent irrigation of the respective places of use since 2014.

**Injury to Other Water Rights:** No issues identified. Applicant provided persuasive evidence that the SRBA points of diversion were in error. There will be no physical change to the point of diversion. Water has been diverted from the ditch headgate in the NENE of Section 30 since at least 2014.

**Enlargement of Use:** No issues identified. Combined limit conditions will be carried forward.

**Local Public interest:** No issues identified.

**Beneficial Use/Conservation of Water Resources:** No issues 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.