

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84186**

This is to certify that: MELINDA MULKEY AND
REED MULKEY
327 AIRPORT RD
WEISER, ID 83672

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
3-10233	WR/DECREED	1/15/1907	0.100 cfs	N/A	N/A	5.0	SNAKE RIVER
3-10234	WR/DECREED	1/15/1907	0.050 cfs	N/A	N/A	2.5	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
3-10233	NO	YES	NO	NO	NO	NO
3-10234	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
3-10233	3-10233	0.100 cfs	N/A	N/A	5.0	N/A	N/A	N/A	N/A	N/A
3-10234	3-10234	0.050 cfs	N/A	N/A	2.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.150 cfs	N/A	N/A	7.5		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 28 day of July, 2020.

SUPPORT DATA

IN FILE # 3-10233

for Patricia Mulkey
Chief, Water Allocation Bureau

Transfer No. 84186

WATER RIGHT NO. 3-10233
As Modified by Transfer No. 84186

In accordance with the approval of Transfer No. 84186, Water Right No. 3-10233 is now described as follows:

Right Holder: REED MULKEY AND
 MELINDA MULKEY
 327 AIRPORT RD
 WEISER, ID 83672

Priority Date: 1/15/1907

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
 IRRIGATION

From 03/01 **to** 11/15

Diversion Rate
 0.100 cfs
 0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L2 (NWSW) Sec 17 Twp 10N Rge 05W WASHINGTON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	17										2.4							2.4
10N	05W	17										2.6							2.6
												L 2							

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. The point of diversion and place of use for this water right are unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84186

WATER RIGHT NO. 3-10233
As Modified by Transfer No. 84186

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 3-10234
As Modified by Transfer No. 84186

In accordance with the approval of Transfer No. 84186, Water Right No. 3-10234 is now described as follows:

Right Holder: REED MULKEY AND
MELINDA MULKEY
327 AIRPORT RD
WEISER, ID 83672

Priority Date: 1/15/1907

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
0.050 cfs
0.050 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L2 (NWSW) Sec 17 Twp 10N Rge 05W WASHINGTON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	17										1.3							1.3
10N	05W	17										1.2							1.2
												L 2							

POU Total Acres: 2.5

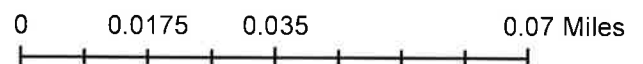
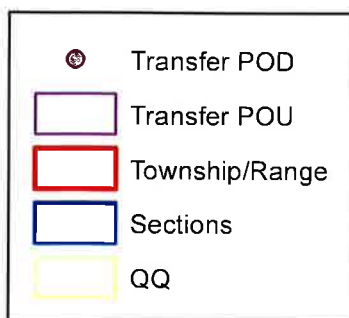
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The point of diversion and place of use for this water right are unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 84186

State of Idaho
Department of Water Resources
Attachment to Transfer No. 84186
Water Rights: 3-10233 & 3-10234

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



JUN 24 2020

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

WATER RESOURCES
WESTERN REGION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Reed and Melinda Mulkey Phone 208-412-2332
2. **MAILING ADDRESS** 327 Airport Rd City Weiser
State ID Zip 83672 Email reedmulkey@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- * ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 3-10233 and 3-10234

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.1 for 10233 cubic feet per second and/or 105 for 10234 acre-feet per annum.

(diversion rate)
(storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*. NA

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
	2				17	10N	05W	Washington	Snake River	

84186

* We want to move our pump due to harassment & stalking by our neighbor.

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Provide and install a verticle pipe in the property with a horizontal pipe going from it on a T out into the river bed to feed it. Move our pump/motor/filter and also the power pole, electrical panel, and pump panel all over to it. *

- b. Who owns the property at the point(s) of diversion? Reed and Mulkey Mulkey

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
NA

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Reed Mulkey
Signature of applicant or authorized agent

Reed Mulkey
Print name and title if applicable

05/05/2020
Date

Melinda Mulkey
Signature of applicant or authorized agent

Melinda Mulkey
Print name and title if applicable

05/05/2020
Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions. \$ 25.00

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 06/24/2020

Fee paid \$250 Date 06/24/2020 Received by LE Receipt # W048422

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Application for Water Right



6/13/2020, 2:21:08 PM

Areas

Override 1

Override 2

Counties

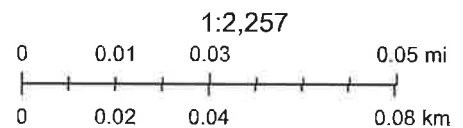
Quarter Quarter

Section

Township/Range

Idaho Outline

Idaho Mask



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water Resources

Idaho Department of Water Resources

84186

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 3-10234

Current Owner: REED MULKEY
MELINDA MULKEY
Priority Date: 1/15/1907
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.05 CFS

Annual Volume

Total Diversion

0.05 CFS

Location of Point(s) of Diversion

SNAKE RIVER

L2(SW1/4NE1/4SW1/4)

Sec. 17, Twp 10N, Rge 05W B.M.

WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T10N R05W S17

NWSW

1.30

T10N R05W S17

Lot 2

NWSW

1.20

Total Acres: 2.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. F06 The following rights are diverted through point of diversion described above: 3-4005, 3-10227, 3-10228, 3-10229, 3-10230, 3-10231, 3-10232, 3-10233, & 3-10234.
3. This right is a split from former right 3-10214 .
4. T10N, R05W S17 NWSW is unsurveyed, nonfederal land except where noted by GCDB lot number.

Decreed Date: 7/9/2007

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 3-10233

Current Owner: MELINDA MULKEY
REED MULKEY

Priority Date: 1/15/1907

Origin: Water Right

Status: Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.1 CFS

Annual Volume

Total Diversion

0.1 CFS

Location of Point(s) of Diversion

SNAKE RIVER

L2(SW1/4NE1/4SW1/4)

Sec. 17, Twp 10N, Rge 05W B.M.

WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T10N R05W S17

NWSW

2.40

T10N R05W S17

Lot 2

NWSW

2.60

Total Acres: 5

Conditions of Approval:

1. This right is a split from former right 3-10214 .
2. F06 The following rights are diverted through point of diversion described above:
3-4005, 3-10227, 3-10228, 3-10229, 3-10230, 3-10231, 3-10232, 3-10233, &
3-10234.
3. T10N, R05W S17 NWSW is unsurveyed, nonfederal land except where
noted by GCDB lot number.
4. C18 This partial decree is subject to such general provisions necessary for the
definition of the rights or for the efficient administration of the water rights as
may be ultimately determined by the Court at a point in time no later than the
entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 7/9/2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 28, 2020

MELINDA MULKEY
REED MULKEY
327 AIRPORT RD
WEISER ID 83672

Re: Transfer No: 84186
Water Right No(s): 3-10233, 3-10234

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

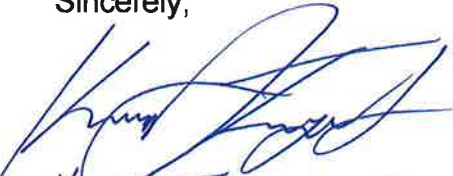
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190

Sincerely,



For. Kensi Thorneycroft
Patrick Kelly
Water Rights Supervisor

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No: 84186
Water Right No(s): 3-10233, 3-10234

MELINDA MULKEY
REED MULKEY
327 AIRPORT RD
WEISER ID 83672



Kensie Thorneycroft
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 84186 File

FROM: Justin Shearer

DATE: 7/20/20

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to move the point of diversion for water rights 3-10233 and 3-10234 just downstream to an improved diversion structure.

The site is on the Snake River approximately 1/8 miles South of the intersection of Airport Rd and Hansen Rd in Weiser, ID.

Summary of Information Submitted

Authority to File: Reed and Melinda Mulkey filed and signed the transfer application. Applicants own land between old POD and proposed POD. IDWR records show them as the active water right holders and they should be considered to have authority to file.

Water Right Validity:

The decrees for water right no.'s 3-10233 and 3-10234 were issued July 9, 2007. These rights should be presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department staff using aerial imagery, and landsat data that show evidence of irrigation taking place. Evidence of beneficial use does not need to be added to the file as it is an IDWR product available to other staff.

Overlap Analysis:

No POU overlap is found. There are other rights nearby, however because the existing POU will not be changing there is no concern for POU overlap being created through this transfer. POD overlap analysis found seven other existing rights at existing POD. The proposed POD will have no other rights besides the two rights included in this transfer. POD overlap should not be a concern as a result of this transfer.

Injury to Other Water Rights:

None anticipated. The new point of diversion proposal is from the same source. Applicant owns the land between current POD and proposed POD. There are no existing water right POD's between the existing POD and proposed POD. Because the change in point of diversion will not be changing the amount of water sought by this right, there is no evidence to suggest that any injury to other rights will occur as a result of this transfer. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice.

Enlargement of Use:

Water right 3-10233 authorizes 0.1 cfs for the irrigation of 5 acres and water right 3-10234 authorizes 0.05 cfs for the irrigation of 2.5 acres. None of these authorized parameters are anticipated to be increased as a result of this transfer. There are no proposed changes to the existing place of use, season

of use, or nature of use in this transfer proposal. As a result, the historic extent of beneficial use is not likely to be enlarged as a result of this transfer.

Local Public Interest: The transfer application proposes beneficial use consistent with local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.