

MEMORANDUM

Date: March 4, 2020
To: Transfer 83919
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to update ownership and to correct the decreed POD and POU legal descriptions for water right 27-10499. The SRBA partial decree for water right 27-10499 described the POD and POU in Lot 3, Section 9, T03S, R35E. The claim and the decree noted that the water right is associated with Parcel RP1302100, which is actually located in Lot 4, Section 9, T03S, R35E. The evidence available to the Department confirms that there was an error in the adjudicated POD/POU.

Authority to File:

Applicants provided a warranty deed for this subject property, conveying the property from Max & Linda Collard, the current owners of record for water right 27-10499 to Scott & Linda Ball. Ownership will be updated through the transfer approval.

Water Right Validity:

This water right was decreed in the SRBA in 1999. Forfeiture is not an issue.

Injury to Other Water Rights:

Other water rights will not be impacted by the proposed changes. There will be no physical change to the point of diversion or the place of use. Only the legal descriptions will change in order to correct the errors in the partial decree. Since it is clear that the proposed changes will not adversely impact other water rights, this application does not require public notice. No water district.

Enlargement of Use:

The proposed changes will not result in enlargement because water use will not increase as a result of the transfer.

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.