

MEMORANDUM

Date: October 19, 2016
To: Transfer 80380
From: Angie Grimm
Re: Legal Notice Statewide Not Required

I.C. 42-222 states transfer application shall be advertised in a similar manner as applications under I.C. 42-203A, when the Department determines publication is required. I.C. 42-203A indicates applications shall be published statewide when the application proposes a diversion in excess of ten (10) cfs. While several of the rights within this transfer authorize diversion in excess of ten (10) cfs, the total quantity proposed for diversion at the new points of re-diversion proposed by this transfer application is only 3.22 cfs. Therefore, it was determined statewide publication of this transfer application was not required. Diversion will be limited to 3.22 cfs at the new points of re-diversion, based on the pro-rated fee paid, per conditioning of rights in any potential transfer approval issued.