

## MEMORANDUM

TO: File. Transfer No. 80380

FROM: Nick Van Dyke

DATE: 6/7/2016

RE: Evaluation of Transfer Application for Eureka Ditch Co No. 2.

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### Summary of Information Submitted

**Narrative:** Transfer No. 80380 was filed to add one point of injection from the Eureka Canal into the North Drain and add two points of re-diversion from the North Drain for Eureka Ditch Co. No 2's water rights. The general location is approximately 3 miles west of Notus. A total of 3.22 cfs is sought to be transferred based on the pro-rated amount of ditch co. water allotted for ground served by the two new re-diversion points, located in the Lt 1 (NE¼) of Sec. 1, T4N, R5W and Lt 1 (NE¼) of Sec. 6, T4N, R4W. No other changes proposed.

**Authority to File:** Tucker and Sam Shaw were the original signatories on the application. However they are not listed as registered agents for Eureka Ditch Co per the State's Secretary of State website. Greg Shaw, who is listed as a registered agent for Eureka Ditch Co, later sent in a signature page, dated 7/9/16 authorizing the transfer.

**Water Right Validity:** All rights involved were decreed in the SRBA. No evidence of forfeiture found.

**Overlap Analysis:** The place of use for the ground described above is also overlapped by a number of Riverside Irrigation District water rights. I did not find overlap from any other entity other than Eureka Ditch Co. for the 3 points of diversion currently listed on Eureka's rights.

**Injury to Other Water Rights:** None anticipated. The point of injection lies between both points of re-diversion. There is only one other diversion in the span between the points of re-diversion. It is located near the point of injection. It can be assumed thru means of injection of water into the North Drain there will be no decrease in water at that point of diversion. The watermaster was notified of the transfer proposal and had no objection.

**Enlargement of Use:** None anticipated.

**Local Public Interest:** No issues identified. The application was advertised, no protests were received.

**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.**