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JUL 27 2015

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80278MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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JUL 20 2015

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) John and Katherine TracyCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

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DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 20 2015

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) John B. and Katherine A. Tracy Phone (208) 940-1544
 Mailing address 20 Tracy Lane, Salmon, ID 83467 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
 Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

John B. Tracy
 Signature of Applicant or Authorized Representative

John B. Tracy
 Print Name and Title if applicable

7-15-15
 Date

Katherine A. Tracy
 Signature of Applicant or Authorized Representative

Katherine A. Tracy
 Print Name and Title if applicable

7-15-15
 Date

Receipt # E041271

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This transfer proposes to combine the place of use for water rights 74-438A, 74-7077 and 74-7079. The 43.9-acre place of use for the senior water right 74-438A will be designated with a specific shape within the larger permissible place of use. **Ownership change for the rights was already filed about one month ago.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	74-438A	1.32 cfs	Irrigation	3/15 to 11/15	Lemhi River
☒ ☐	74-7077	0.78 cfs	Irrigation	3/15 to 11/15	Lemhi River
☒ ☐	74-7079	1.00 cfs	Irrigation	3/15 to 11/15	Lemhi River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.10 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.32 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	6					19			21	22			27					89
							L3												
		7					3.5												3.5
20N	24E	31												37			3.4		40.4
Total Acres (for irrigation use)																			132.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. 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:

All of the rights are diverted through the L-30 Ditch from the Lemhi River. This ditch is equipped with a weir at the head of the ditch and is regulated by the watermaster for WD74.

- b. Who owns the property at the point(s) of diversion? I don't know.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: L-30 is an existing historical ditch. We are not changing the point of diversion for these rights.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A We are not moving water rights off of the property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Water rights in combination authorize 132.9 acres of irrigation. We will continue to irrigation 132.9 acres. The senior right 74-438A will be used on a specific 43.9 acre piece.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None.

- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date 1/20/15 Preliminary check by EL Date 8041271

Fee paid \$580.00 Date 1/20/15 Received by EL Receipt # 8041271

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

IDAHO DEPARTMENT OF WATER RESOURCES

7/15/2015

Proof Report

Water Right 74-438A

Owner Type **Name and Address**

Current Owner GOLDIE F JENSON
 1712 LEMHI RD
 SALMON, ID 83467
 (208)756-3341

Current Owner RINALDO E JENSON
 1712 LEMHI RD
 SALMON, ID 83467
 (208)756-3341

Priority Date: 6/1/1886**Basis:** Decreed**Status:** Active**Source**

LEMHI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.320 CFS

Volume**Total Diversion**

1.320 CFS

Source and Point(s) of Diversion

LEMHI RIVER

NWNW

Sec. 20, Twp 19N, Rge 24E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	6					19.5			12.0	3.1								34.6
20N	24E	31												7.3			2.0		9.3

POU Total Acres: 43.9

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.

7/15/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RINALDO E JENSON 1712 LEMHI RD SALMON, ID 83467 (208)756-3341

Priority Date: 8/9/1979
Basis: Deceased
Status: Active

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.780 CFS	137.0 AF
	Total Diversion		0.780 CFS	137.0 AF

LEMHI RIVER NWNWNW Sec. 20, Twp 19N, Rge 24E, LEMHI County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
19N	24E	6					11.0 L3												11.0
20N	24E	31												28.0					28.0

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.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
3.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/15/2015

- above.
5. Point of diversion also known as L-30 Diversion.
 6. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/15/2015

Water Right 74-7079

Owner Type **Name and Address**
Current Owner GARY R JENSON
55 THREE MILE LN
SALMON, ID 83467-5251
208-940-0112

Current Owner JOAN JENSON
PO BOX 923
SALMON, ID 83467

Priority Date: 11/15/1979

Basis: License

Status: Active

Source
LEMHI RIVER

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.000 CFS	175.0 AF
	<u>Total Diversion</u>		1.000 CFS	175.0 AF

Source and Point(s) of Diversion

LEMHI RIVER NWNWNW Sec. 20, Twp 19N, Rge 24E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

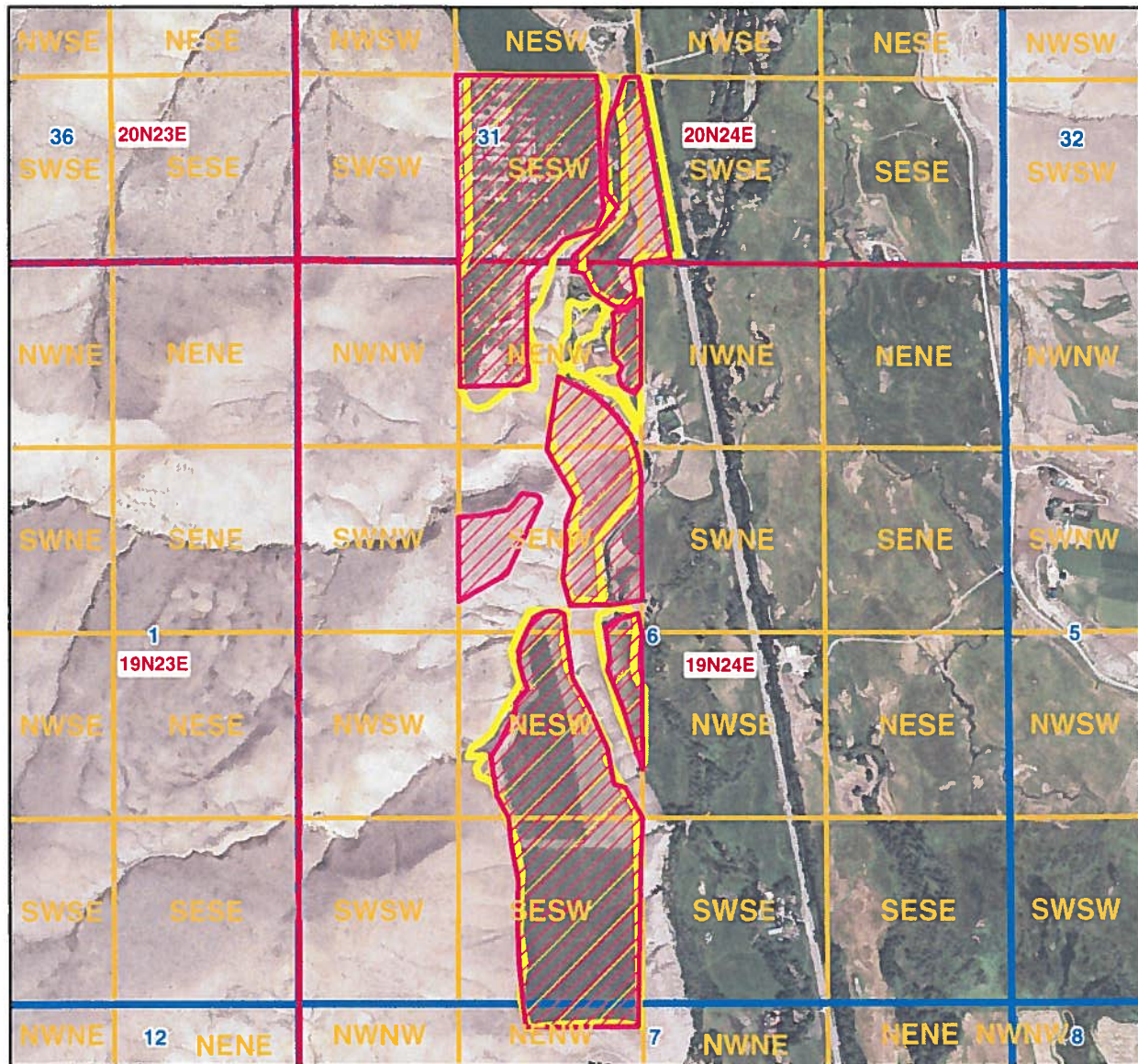
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	6								1.0	20.5			26.0					47.5
19N	24E	7					2.5												2.5

POU Total Acres: 50.0

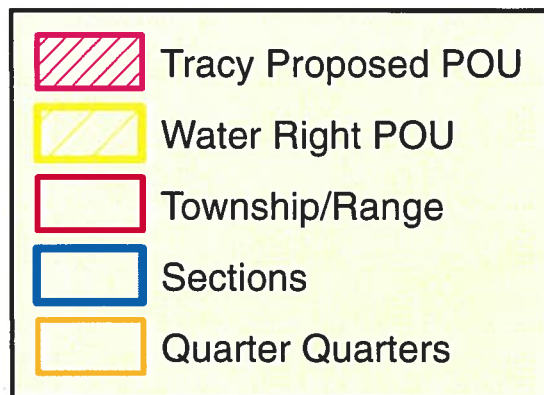
Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
2. X59 Point of diversion is known as L-30 Diversion.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. X37 This right is appurtenant to land designated as DLE I-17267.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Tracy Transfer - Proposed Place of Use



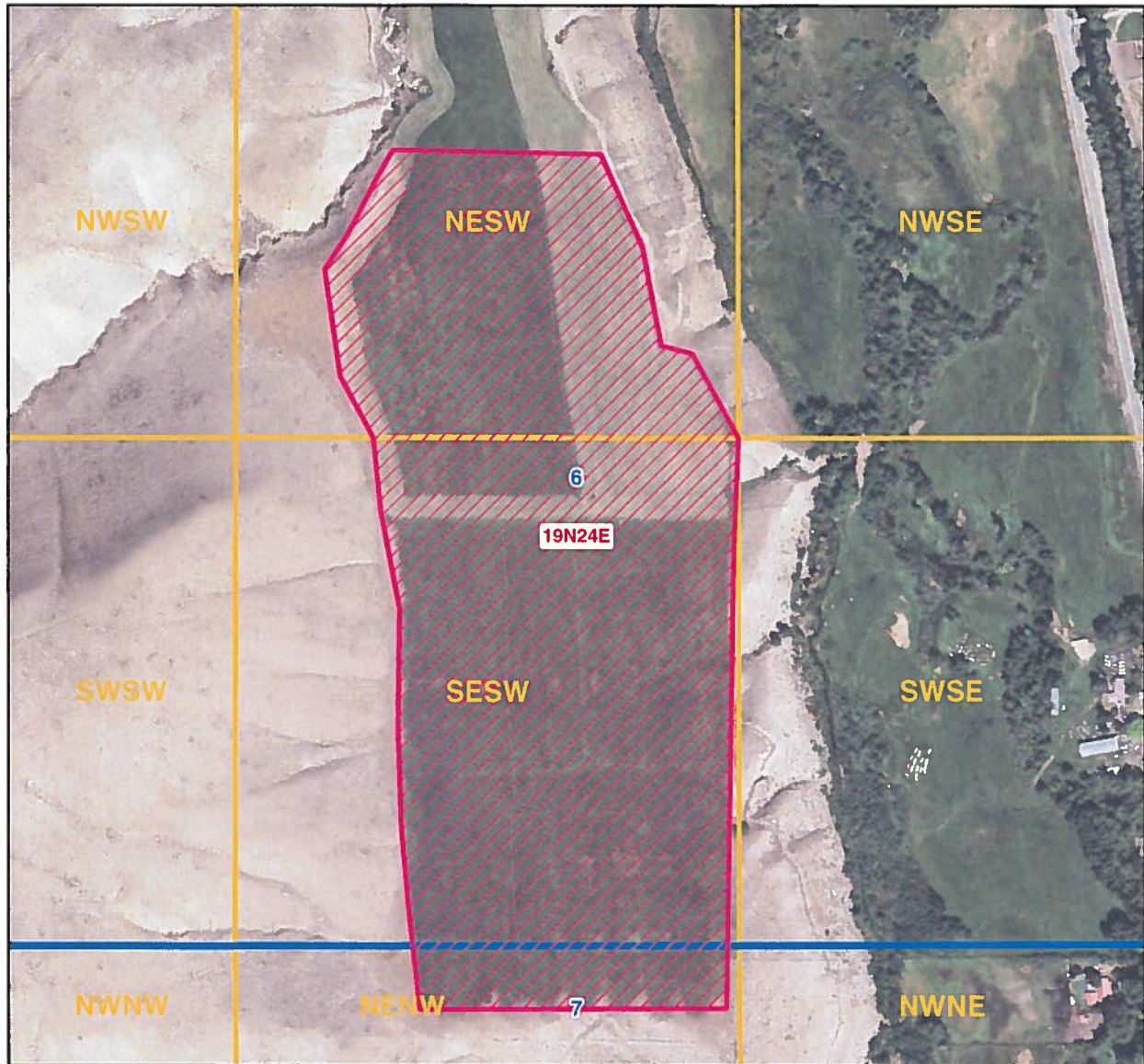
2013 Aerial Photo



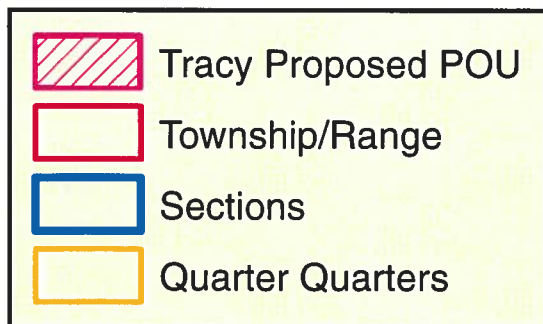
0 0.25 0.5 Miles



Tracy Transfer - Proposed Initial Place of Use for 74-438A



2013 Aerial Photo



0 500 1,000 Feet





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 11, 2015

RICK SAGER
WATER DISTRICT NO 74
985 HWY 28
SALMON ID 83467

RE: Transfer No. 80278
Water Right Nos. 74-438A, 74-7077 and 74-7079

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfer. I have enclosed a copy of the application for your reference.

This office has the discretion to provide public notice as deemed appropriate under Section 42-222, Idaho Code. The changes this transfer proposes do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, the Department will not publish this application. If you have any comments or concern regarding this transfer, please respond within 14 days to this office.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

If the Department has not received your written recommendation within 14 days from the date of this letter, the Department will presume that you do not oppose approval of the application and that you have no comments for us to consider.

Please contact this office if you have any questions concerning this application.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 10, 2015

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Transfer No. 80278
Water Right Nos. 74-438A, 74-7077 and 74-7079

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfer. I have enclosed a copy of the application for your reference.

This office has the discretion to provide public notice as deemed appropriate under Section 42-222, Idaho Code. The changes this transfer proposes do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, the Department will not publish this application. If you have any comments or concern regarding this transfer, please respond within 14 days to this office.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', is written over a horizontal line.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 10, 2015

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Transfer No. 80278
Water Right Nos. 74-438A, 74-7077 and 74-7079

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfer. I have enclosed a copy of the application for your reference.

This office has the discretion to provide public notice as deemed appropriate under Section 42-222, Idaho Code. The changes this transfer proposes do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, the Department will not publish this application. If you have any comments or concern regarding this transfer, please respond within 14 days to this office.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean Hersley". The signature is fluid and cursive, with the first name "Jean" and last name "Hersley" clearly distinguishable.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

MEMORANDUM

Date: August 7, 2015
To: Transfer 80278
From: Michele Edl
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. 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. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: August 6, 2015
To: Transfer 80278
From: Michele Edl
Re: Review and evaluation of sufficiency of information

This application for transfer acts on water rights 74-438A, 74-7077 and 74-7079. State office personnel conferred with the applicant and confirmed that the application is intended to propose a shift the location of irrigated acres and to create a PPU. No other changes are proposed. IDWR's Eastern Region office assisted with preparation of the application and the Eastern Region manager is comfortable with not advertizing this transfer.

Authority to File: According to available Lemhi County taxlot information, the POU's are properties owned by Gary R. Jenson. IDWR Eastern region personnel processed an ownership change for three rights on July 28, 2015. Ownership of the properties and of their appurtenant water rights changed from Gary R Jenson and Joan Jenson to John B Tracy and Katherine A Tracy. The application was signed by both John B Tracy and Katherine A Tracy.

According to available Lemhi County taxlot information, the POD is on property held by Lynn A Herbst. This POD is the authorized POD for the three water rights and many others.

Water Right Validity: Water rights 74-438A and 74-7077 were decreed in the SRBA on July 9, 2007. A water right license was issued for 74-7079 on November 3, 2003. Aerial photography shows that the places-of-use have been regularly irrigated.

Injury to Other Water Rights: Each of the rights acted on by this transfer share a single, existing POD locally known as L30. The location of the POD is not changing. Many other water rights also divert from this POD and those diversions are regulated by a watermaster. No injury is anticipated.

Enlargement of Use: No enlargement is evident through the transfer. The rights will subject to control by the watermaster of WD #74-Lemhi River.

Local Public interest: Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources: The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area: Review staff has no information to suggest this transfer will negatively impact the economy of the local area.

Effect on Agricultural Base of the Local Area: Review staff has no information to suggest this transfer will negatively impact the economy of the local area.

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.

MEMORANDUM

Date: August 5, 2015
To: Transfer 80278
From: Michele Edl
Re: Administrative Area Analysis

The three rights acted on by this transfer are within Water District 74-Lemhi River and within a Wild and Scenic Watershed-Salmon River excluding Middle Fork.

Edl, Michele

From: Cefalo, James
Sent: Tuesday, August 04, 2015 3:17 PM
To: Skaggs, Pam
Cc: Edl, Michele
Subject: RE: Transfer 80278 Tracy 74-483A/7077/7079
Attachments: Tracy_POU.cpg; Tracy_POU.dbf; Tracy_POU.prj; Tracy_POU.sbn; Tracy_POU.sbx; Tracy_POU.shp; Tracy_POU.shx

Attached are the shape files. I don't have any concerns about the place of use rearrangement – or choosing to not advertise this one. The change will allow Mr. Tracy to use his senior river rights on better ground.

From: Skaggs, Pam
Sent: Tuesday, August 04, 2015 3:02 PM
To: Cefalo, James
Subject: Transfer 80278 Tracy 74-483A/7077/7079

James,

I understand you assisted Mr. Tracy in preparing his transfer application & maps. Could you please send the shapes for the proposed place of use to Michele Edl.

This is a change in place of use on basically the same acres. Do you have any concerns about not advertising?

Thanks for your assistance.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951