

MEMORANDUM

Date: December 15, 2014
To: Transfer 79136
From: Pam Skaggs 
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a second point of diversion and/or redirection from the Pahsimeroi River in the SWNW, Section 1, T14N, R21E, and shift the acres slightly within the existing place of use.

Authority to File:

Circle Pi LLC is the applicant and the current water right owner of these rights per IDWR records. Ben H. Yates signed the application and has been identified as the manager of Circle Pi LLC in the previous transfer and in IDSOS records. Circle Pi LLC is currently administratively dissolved per IDSOS website, but shows a history of late filing and reinstatement. Ben H & Linda M Yates are shown as owners of the place of use and Circle Pi LLC as owner of the property at the points of diversion from Pahsimeroi River. Mr. Yates is both the manager of Circle Pi LLC and the individual property owner listed in Custer County tax lot information providing authority to file the transfer.

Water Right Validity:

The SRBA Court issued a partial decrees for these rights in 2010, so forfeiture is not a concern at this time.

Injury to Other Water Rights:

These rights are within Water District 73. Watermaster comment was sought for the original application without comment. He will receive notice of the current proposal when the transfer is advertised for public notice to allow comment to the amended application. There are no other diversions between the currently authorized point of diversion and the added or original point of diversion on Pahsimeroi River. The addition of the original point of diversion/redirection as an alternate point of diversion doesn't appear to create injury.

Enlargement of Use:

This transfer represents rights from several surface water sources combined on the same 97.7 acre place of use. Review of the proposed new place of use shifts a few acres within currently authorized quarter-quarters and finds no overlap issues with neighboring rights.

Local Public interest:

No issues identified through review. Advertising will allow for any public comments.

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

Effect on Economy the Local Area:

The proposed transfer should not affect or change the local economy.

Effect on Agricultural Base of the Local Area: The proposed transfer should not affect or change 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.

Rights	Source	14N 21E S1	Pahsimeroi River PODs	14N 22E S7	SWNE	SENE
		SESW	SWNW (New)	NENE		
73-12221	Pahsimeroi River	D	Proposed D			
73-12224	Pahsimeroi River	D	Proposed D			
73-12225	Pahsimeroi River	D	Proposed D			
73-12226	Pahsimeroi River	D	Proposed D			
73-12231	Pahsimeroi River	D	Proposed D			
	Patterson Creek	R	Proposed R	D		I
73-12227	Patterson Creek	R	Proposed R	D		I
73-12229	Patterson Creek	R	Proposed R	D		I
73-12230	Patterson Creek	R	Proposed R	D		I
73-12228	Patterson Creek	R	Proposed R	D		I
	Unnamed Stream	R	Proposed R		D	I
73-12222	Spring	R	Proposed R	D		I
73-12223	Spring	R	Proposed R		D	I
73-12232	Sulpher Creek	D	Proposed D			

D = Diversion

I = Injection

R = Rediversion

Basin Sequence	Process	Basis	Status	RightID	Priority Date	Rate	Acre Limit	Total Acres	Vol	Source List	Water Use List	Current Owner	Leased to WSB	Water District
73	12221 Water Right Decreed	Active	662993	1/20/1910	0.240	12.1	97.7			PAHSIMEROI RIVER	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12222 Water Right Decreed	Active	662994	10/4/1909	0.050	2.7	97.7			SPRING	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12223 Water Right Decreed	Active	662995	11/28/1904	0.160	8.1	97.7			SPRING	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12224 Water Right Decreed	Active	662996	5/1/1906	0.160	8.1	97.7			PAHSIMEROI RIVER	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12225 Water Right Decreed	Active	662997	3/8/1908	0.130	6.7	97.7			PAHSIMEROI RIVER	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12226 Water Right Decreed	Active	662998	4/28/1913	0.160	8.1	97.7			PAHSIMEROI RIVER	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12227 Water Right Decreed	Active	662999	6/20/1908	0.220	10.8	97.7			PATTERSON CREEK	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12228 Water Right Decreed	Active	663000	5/1/1906	0.270	13.5	97.7			PATTERSON CREEK, UNNAMED STREAM	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12229 Water Right Decreed	Active	663001	11/30/1907	0.030	1.3	97.7			PATTERSON CREEK	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12230 Water Right Decreed	Active	663002	4/25/1904	0.380	18.9	97.7			PATTERSON CREEK	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12231 Water Right Decreed	Active	663003	3/21/1905	0.220	10.8	97.7			PAHSIMEROI RIVER, PATTERSON CREEK	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
73	12232 Water Right Decreed	Active	663004	12/25/1904	0.300	14.3	97.7			SULPHUR CREEK	IRRIGATION	CIRCLE PI LLC	No	73 - Pahsimeroi River
					2.320	97.7	97.7							

Process	Basin Sequence	Owner	Source	POD/ POU	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	NESE	NWSE	SWSE	SESE	Total Acres	T14N R21E S2
Water Right	73-12221 to 73-12232	CIRCLE PI LLC	PAHSIMEROI RIVER, SPRING, PATTERSON CREEK, UNNAMED STREAM, SULFER CREEK	POU	5.7	8.5	5.7	13.0	7.2										40.1	
Transfer Proposed POU	79136 CIRCLE PI LLC	PAHSIMEROI RIVER, SPRING, PATTERSON CREEK, UNNAMED STREAM, SULFER CREEK	POU	7.6	2.3	8.1	3.1	14.0	6.8										30.7 11.2 41.9	
Water Right	73-10037 at al Balance of split Rts from 78654 modified by 78653	CIRCLE PI LLC	PAHSIMEROI RIVER, SPRING, PATTERSON CREEK, UNNAMED STREAM, SULFER CREEK	POU	1.5	26.0	8.0	5.3	31.0	27.0	39.6	22.0	0.8	39.5	36.0	17.0	36.4		290.1	Separate POU
Water Right	73-7025	CIRCLE PI LLC	GROUND WATER	POU											2.5			32.0	34.5	Overlaps Separate POU

Process	Basin Sequence	Owner	Source	POD/POU	NENE	NWNE	NENW	Total Acres	T14N R21E S3
Water Right	73-12221 to 73-12232	CIRCLE PI LLC	PAHSIMEROI RIVER, SPRING, PATTERSON CREEK, UNNAMED STREAM, SULFER CREEK	POU 4.6	23.0	30.0		57.6	
Transfer Proposed POU	79136 CIRCLE PI LLC	PAHSIMEROI RIVER, SPRING, PATTERSON CREEK, UNNAMED STREAM, SULFER CREEK		POU 3.8	22.0	30.0		55.8	
Water Right	73-10037 et al split Rts from 78654 modified by 78653	CIRCLE PI LLC	PAHSIMEROI RIVER, PATTERSON CREEK	POU 34.0	0.8			34.8	Separate POU

Overlaps
Separate POU