

MEMORANDUM

Date: August 26, 2014
To: Transfer 79465
From: Blake Jordan
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the point of diversion and place of use for water right 29-7207. The point of diversion and place of use for this water right was licensed incorrectly and the applicant seeks to correct this error. The beneficial use field report includes a sketch along with pictures that clearly show where this water right was being used. However the beneficial use report incorrectly describes the legal description for the place of use and point of diversion.

Authority to File:

The applicant is the current owner of the water right and owner of the property at the proposed point of diversion and proposed place of use per warranty deed. The ownership of water right 29-7207 will be updated into the applicant's name.

Water Right Validity:

Decreed in 2004. There is no clear and convincing evidence that shows forfeiture issues.

Injury to Other Water Rights:

This water right is not within a regulating water district. The physical point of diversion and place of use is not changing. This transfer will fix the point of diversion and place of use legal description error. This transfer was advertised and protested. However the protestants withdrew their protests prior to the protest deadline. The protestants filing fee was refunded.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

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.