
MEMORANDUM

TO: TRANSFER 78451
FROM: COOPER FRITZ
SUBJECT: TRANSFER EVALUATION
DATE: APRIL 25, 2013

This transfer application proposes to correct a minor error from the SRBA. The legal description for one of the four wells listed under water right 32-2141B is incorrect. The well under consideration for an updated description has always been located in the SWSWSE of Section 31. Aerial photography confirms the location of the well. Transfer 2398 described the same POD in the SWSE of Section 31, and included a map which makes clear the location of the well in the SWSWSE of Section 31. For an unknown reason the SRBA partial decree listed the POD for the well as the NWSWSE of Section 21. This transfer application will drop 10-acre designations from all PODs.

The water right included in this transfer is a stand-alone right with four points of diversion. The well in the NWNW of Section 32 is also the POD for water right numbers 32-2141B and 32-7099B. There is no combined limit for this POD. Water right 32-2141B does not overlap with any other water rights.

Authority to File:

The applicant has authority to file, as indicated by the name of the applicant matching the name the department has on file as the owner of water rights 32-2141B and 32-7099B. However, the transfer application states that the owner's name has changed from Diane Sauer to Diane Ricks, and that the owner's address should be amended from HC 63 Box 2104, Montevue, ID, 83435, to 2482 East 3000 North, Sugar City, ID, 83448. Documentation of the owner's name and address changes were provided in the form of a driver's license.

Water Right Validity:

The water right was decreed in 2000. Review of post decree aerial photography indicates regular use of the water right; no portion of the right appears to have been lost due to forfeiture.

Injury to Other Water Rights:

The Application for Transfer does not propose a change in the physical location of the POD, and therefore will not cause injury to other water users. Because there is no change in the physical location of the POD, it was not advertised. The Water Master for Water District 110 does not oppose the application.

Enlargement of Use:

The proposed changes will not result in an enlargement of use. Rate, volume, nor acreage will increase as a result of this transfer.

Local Public Interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

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.