

MEMORANDUM

Date: December 03, 2012
To: Transfer 78220
From: kmathews
Re: Transfer Evaluation

Transfer No. 78820 for water rights 25-7148, 25-7191, 25-7418, 25-7509, 25-14035, 25-14055, 25-14114, 25-14326 & 25-14327 proposes to add a point of diversion to all of the rights.

Authority to file:

Water rights 25-7148, 25-7191, 25-7418, 25-7509, 25-14035, 25-14055, 25-14114, 25-14326 & 25-14327 are in the name of Falls Water Company INC. The new point of diversion is not owned by Falls Water Company, an agreement was included with the transfer authorizing the use of this additional point of diversion.

Validity of the Water Right:

Water rights 25-14327 & 25-14326 were decreed on September 12, 2002. Water rights 25-7148, 25-7418 & 25-7191 were decreed on September 30, 2005. Water rights 25-14055 & 25-14035 were decreed on October 7, 2005. Water right 25-7509 was licensed on December 15, 1992 and water right 25-14114 was licensed on October 19, 2012. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury to other water rights was identified. An ESPA analysis was completed, the addition of a new point of diversion does not create the need for mitigation. The application was advertised statewide, no protests were received. The watermaster for WD120 was notified of the transfer and did not oppose the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this transfer application.