

MEMORANDUM

Date: May 25, 2012
To: Transfer 77957
From: kmathews
Re: Transfer Evaluation

Transfer No. 77957 for water right 29-64B proposes to: correct the point of diversion. Water right 29-7225 was added to this transfer as an associated water right. Both rights have the same place of use with combined limits.

A contradictory quantity condition was found on these rights. Water right 29-7225 limits the combined rate of diversion to an inch per acre; however 29-64B limits the combined rate of diversion to an inch and one half per acre. These rights were decreed with this contradiction, so the condition was not changed. In addition, right 29-64B has two different rates of diversion on the right. The irrigation portion of the right is limited to .21 cfs; however the total cfs rate is .30 cfs.

The transfer simply corrects an error from the adjudication. No water is actually being moved through this transfer. Water has always been and will continue to be diverted through the Lewis-Goodenough Ditch. The transfer fee was calculated to be \$200.

Authority to file:

Water right 29-64B is currently in the name of H. Boyd and Frances M. Worley. The place of use for this right will not be changed and is owned by the Worleys. The Point of Diversion is located on property owned by Richard Lockyer. The point of diversion has always been located on this property.

Validity of the Water Right:

Water right 29-64B & 29-7225 were decreed on March 22, 2004. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury to other water rights was identified.

Enlargement of Use:

No issues identified.

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.

SCANNED
JUL 17 2012