

MEMORANDUM

Date: August 10, 2012
To: Transfer 78021
From: kmathews
Re: Transfer Evaluation

Transfer No. 78021 for water right 29-2044E proposes to correct the point of diversion listed on the right. The POD listed on the SRBA partial decree is in the wrong QQ. Actual POD has always been located in Lot 2 of Section 12. No physical change will occur. This transfer simply corrects the legal description on the right.

Authority to file:

Water right 29-2044E is currently in the name of Barbara Smith. The proposed place of use is owned by Barbara Smith according to Bannock County taxlot records.

Validity of the Water Right:

Water right 29-2044E was decreed in 2004. Aerial photography shows consistent irrigation. Forfeiture is not an issue.

Injury to Other Water Rights:

No injury to other water rights was found. The application was not advertised. This application corrects a POD error from the adjudication, the diversion structure has always been at this location. The Watermaster for WD29 was notified of the transfer. He agrees with the proposed update to the right.

Enlargement of Use:

No enlargement concerns were identified.

Local Public Interest:

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.