

MEMORANDUM

Date: July 19, 2012
To: Transfer 77801
From: dkidman
Re: Transfer Approval

The purpose of this transfer is to correct the location of the POD listed on water right 73-42. The water right was decreed in the SRBA with a POD in T14N R22E Sec 16 NESE but the headgate is actually located in the SENE of Section 16. No physical change in POD will occur through this transfer.

Authority to File:

Applicant is the current owner of the water rights. The county tax lot information provided to the Department.

Water Right Validity

Water Right 73-42 was decreed in the SRBA on 9/29/2010. Forfeiture is not an issue.

Injury to Other Water Rights

No injury will occur since the only change will be on paper not a physical change. Watermaster initially opposed the transfer, but resolved his concerns through an agreement to add a measuring device on the ditch. Transfer was advertised and was protested by Missouri Canal. A representative of the canal did not appear at the pre-hearing conference and the protest was eliminated through a default order.

Enlargement of Use

No apparent increase will result from this transfer.

Local Public Interest

No negative impacts anticipated

Beneficial Use/Conservation of Water Resources

No issue 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.