

MEMORANDUM

Date: June 18, 2012
To: Transfer 77922
From: kmathews
Re: Transfer Evaluation

Transfer No. 77922 for water rights 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248 proposes to change the points of diversion for the rights to move to diversions with IDFG fish screens. Two PODs will be listed on the rights. CC7 is currently on the rights and will remain on the rights. CC8 will be moved to CC9. The new POD, CC9, is less than 1/4 mile upstream of the eliminated POD, CC8. 75-7505 has a limiting condition in combination with the rights in this transfer. Because the conditions and place of use is not changing through this transfer, 75-7505 does not need to be included as an associated right.

Authority to file:

Water rights 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248 are currently in the name of John E and/or Ruth C Burns. The proposed place of use for these water rights is also owned by Burns.

Validity of the Water Right:

Water rights 75-69A and 75-70A were decreed on January 31, 2011. Water rights 75-10061A and 75-10062A were decreed on January 5, 2011. Water right 75-14248 was decreed on November 17, 2008. Aerial photography shows consistent irrigation. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury to other water rights was identified. The application was advertised, no protests to the transfer were received. The watermaster for water district 75D was notified of the transfer, but did not provide comments.

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.