

MEMORANDUM

Date: June 18, 2012
To: Transfer 77927
From: kmathews
Re: Transfer Evaluation

Transfer No. 77927 for water rights 75-70L, 75-14442, 75-69L, 75-14441 and 75-14443 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.

Water rights 75-69G, 75-70G, 75-10061P and 75-10062M are owned by a different individual, located at the same place of use and have combined condition limitations with some of the rights included in this transfer. Because the PODs are the only elements changing in this transfer, the conditions on the associated rights will not change. The rights were not added to this transfer.

Authority to file:

Water rights 75-70L, 75-14442, 75-69L, 75-14441 and 75-14443 are currently in the name of Rick and Linda Rice. The proposed place of use for these water rights is also owned by the Rices.

Validity of the Water Right:

Water rights 75-14441 and 75-14443 were decreed on January 5, 2011. Water rights 75-69L and 75-70L were decreed on January 31, 2011. Water right no. 75-14442 was decreed on January 30, 2009. 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.