

MEMORANDUM

Date: March 8, 2012
To: Transfer 77799 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the place of use of water right 37-857 from property owned by Bray Valley Ranch to property owned by Gary and Helen De Moss (applicants). The transfer will result in a change in ownership of the right (Bray Valley Ranch to Gary and Helen De Moss). Right 37-857, decreed to Bray Valley Ranch, is for the diversion of water from Dry Creek for irrigation storage in Bray Lake reservoir, north of Bliss. The transfer changes the place of use to match the 808 acre place of use described on the rest of the storage rights from Bray Lake Reservoir, all owned by Gary and Helen De Moss. This results in Gary and Helen De Moss owning all of the storage rights in Bray Lake Reservoir allowing them additional flexibility in the operation of the reservoir. Note that the rest of the De Moss irrigation rights that are used in the 808 acre place of use have been included as part of the transfer as associated rights so a combined 808 acre limit condition can be implemented. This also allowed for the storage place of use to be identified on the rights and in the IDWR spatial database (general record clean up). Dry Creek is located within Water District 37, so comments were solicited from the Water District 37 water master. The proposed change in place of use results in a change of approximately 0.5 – 3.0 miles in a relatively remote and isolated area. There is no anticipated hydrologic impact resulting from the proposed change. It is recommended that the application be processed, and approved, without any public notice advertising.

- **Authority to File:**
A copy of a signed warranty deed conveying right 37-857 from the current recorded owner (Bray Valley Ranch) to the applicants (Gary and Helen De Moss) has been included with the application. IDWR records indicate that the applicants own the proposed place of use.
- **Water Right Validity:**
The right involved with the transfer was decreed in the SRBA in May of 2008. Possible forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated. There is no anticipated hydrologic impact resulting from the proposed change
- **Enlargement of Use:**
 - No issues anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

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.