

MEMORANDUM

Date: February 23, 2012
To: Transfer 69678
From: amerritt
Re: sufficiency memo

Applications T69678 (Melody and Wayne Baker) and T69690 (Betty and Dick Baker) are being processed together. Both applications were received in 2002. Both propose moving the POD to a shared location upstream from the present PODs on Pine Creek. All rights involved were decreed in 2000. The POU's for the rights are not proposed to be changed.

Authority to File:

The applicants at the time of filing were the present owners listed on the database. Since filing the Betty and Dick Baker land and rights have been sold to Melody and Wayne Baker.

Water Right Validity:

Validity of the right involved: The right involved have been partially decreed in the SRBA in 2000. Recent imagery show irrigation and the POU.

Injury to Other Water Rights:

None apparent.

Enlargement of Use:

Does not appear to be enlargement of use. Changing POD does not increase availability of water.

Local Public Interest:

Both applications have been reviewed by F&G with positive comments about improving fishery and stream conditions.

Beneficial Use/Conservation of Water Resources:

Changed POD may allow pressurized system to improve efficiency.

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.

Other issue: Originally both applications were protested by BLM and Valley Sun LLC but all protests have been withdrawn