

## MEMORANDUM

**Date:** February 07, 2012  
**To:** Transfer 77705  
**From:** bjordan  
**Re:** Transfer Evaluation

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This transfer proposes to change the point of diversion for water right 27-12215. D&C Properties is seeking to change the point of diversion to a well better suited to operate their gravel washing facility, which is located south of Idaho Falls. The place of use for the water right will not change.

The industrial use under this right is to cover the evaporation losses from a gravel/sand washing infiltration pond. D&C Properties obtained permit no. 27-12212 which is a non-consumptive groundwater permit used to wash sand and gravel at their facility located south of Idaho Falls. Once the ground water passes through their sand/gravel washing facility it is discharged into a one acre infiltration pond.

**Authority to File:**

The applicant, David Walters, is the current owner of water right per IDWR record and owner of property per Bonneville County taxlot data. Dave Z. Walters who is an owner of D&C Properties LLC signed the application.

**Validity:**

Decreed in 2002. The industrial portion of this water right is used to mitigate for an infiltration pond. 2011 aerial photography shows a gravel mining operation. 2011 aerial photography shows irrigation occurring on property. At this time forfeiture is not an issue.

**Injury to Other Water Rights:**

Inside the ESPA and within WD 120. Points of diversion are within same model cell. No ESPA analysis required. This transfer was advertised and there were no protests. Watermaster does not oppose transfer. No injury issues identified.

**Enlargement of Use:** There are no apparent enlargement concerns.

**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 the criteria set forth in Section 42-222, Idaho Code.