

MEMORANDUM

Date: December 16, 2011
To: Transfer 77638 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the location of the recorded point of diversion, adding a second point of diversion location, and changing the recorded place of use associated with a domestic ground water right (37-12679) for Lot 5 of Stonegate Subdivision (located approximately 4.25 miles north and 0.9 miles west of the center of Ketchum) to reflect the actual locations of diversion and use. Application proposes diverting up to 0.04 cfs from the existing Stonegate Subdivision community well and an existing domestic well on Lot 5 for domestic use on Lot 5. Note that comments were solicited from IDEQ (see e-mail correspondence in file). Water right permit 37-20863 is diverted from the existing Stonegate Subdivision community well and covers lots 1-4, 6-8, 10, 11, 13, 14, and 16-20, without covering Lot 5. Due to the potential of mixing water from the private domestic well and the subdivision community well, it is recommended that a condition be implemented requiring IDEQ or Health District approval if the wells are physically tied together. Note that a 12/15/2011 e-mail from the applicant's consultant indicates that water from the wells are not comingled.

- **Authority to File:**
IDWR records list Robert Mitchell as the owner of the right being transferred. A warranty deed has been included that conveys the property and right involved with the transfer from Robert and Marion Mitchell to Joshua and Pamela Green (applicants).
- **Water Right Validity:**
The right involved with the transfer was decreed in the SRBA in January of 2001. Aerial photography appears to support the use described on the right. Possible forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated. The two proposed points of diversion are about ¼ mile apart. The application will be subject to public notice and protest.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The application will be subject to public notice and protest.
- **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.