

MEMORANDUM

Date: July 18, 2011
To: File
From: Nick Van Dyke
Re: Analysis of Transfers and Exchange for Big Springs Creek, LLC

Narrative: This memo addresses 3 transfer applications, 77203, 77204, 77205, and one exchange application, 77208, all filed to accomplish several changes to water rights held by Big Springs Creek LLC in the Pahsimeroi River valley. The overall goal of the filings is to rearrange irrigated acres for two pivots (one existing one proposed) and a wheel line system, change a point of diversion for one of the rights, and accomplish an exchange for two of the rights to provide reconnect opportunities for fish habitat in Patterson/Big Springs Creek tributary to the Pahsimeroi River. Attached to this memo is a map to help illustrate the changes. Specifically each application:

- **Transfer 77203** proposes to change the place of use for right 73-65 from a location under an existing pivot to a new location where a wheel line system will be used.
- **Transfer 77204** proposes to change one of the two points of diversion for right 73-255 to a proposed pump station that will provide water for the two pivots. Transfer also proposes to change the place of use so that 73-225 can be used in a permissible place of use consisting of either the right's current ground or the acreage under the two pivots. Applicant confirmed specific 130 acre place of use under the two pivots by 7/12/11 email going forward until further notice. No other changes proposed.
- **Transfer 77205** proposes to change the place of use for rights 73-44, 73-46, and 73-60 to match the coverage of the two pivots.
- **Exchange 77208** proposes to divert rights 73-44 and 73-46 from the proposed pump station for the two pivots in exchange for diverting from the current diversion point roughly 4 miles to the southeast on Patterson/Big Springs Creek.

Authority to File: Big Springs Creek LLC is the owner of record for the rights involved. Carl Palmer, listed as managing partner for Big Springs on the Secretary of State website, signed the application.

Water Right Validity: All the rights were decreed in June of 2009. Forfeiture is not an issue.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: None anticipated.

Local Public Interest: Applications were advertised and a protest was received on 77204 from the BLM. The protest was in regards to the legal description given on the transfer application for the place of use. A clerical error was made listing an incorrect range description. A letter dated June 21, 2011, from the applicant resolved BLM's protest.

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 application.

Big Springs Creek LLC Applications Map Attachment to Review Memo

