

MEMORANDUM

TO: Transfer No. 76992 File

FROM: Vicky Music

DATE: March 8, 2011

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to correct the point of diversion [POD] and place of use [POU] of this de minimus stockwater right, 67-10424.

The site is located in approximately 4 miles northeast of Weiser and 0.25 miles west of Mann Creek in Washington County.

Contact person is the applicant.

Deviations from Transfer Policy Standards

This is a very simple transfer which seeks to correct an erroneous SRBA recommendation and subsequent partial decree. The applicant supplies as evidence of the error information that the parcel # referenced in the recommendation is the parcel # of the proposed POD and POU which are located in a different QQ than that recommended.

The deed provided by the applicant does not reference the IDWR owner of record so there was likely at least 1 additional property transaction since the recommendation. However, the ArcMap tax lot layer confirms that the applicant is the owner of both the decreed and the proposed POD and POU.

The transfer application is complete and there are no deviations that should delay the transfer processing.

Summary of Information Submitted

Authority to File:

Though not the IDWR owner of record, the deed attached to the application and the ArcMap tax lot layer confirms that the applicant is the owner of both the decreed and the proposed POD and POU. Therefore, the applicant has the authority to file this application.

Water Right Validity:

The SRBA Court issued the partial decree for this right in 2000. The topo map confirms that a spring is present at the proposed POD, and a review of aerial photographs from 2004, 2006 and 2009 reveal the likely presence of a spring and other activity around it. I believe the aerial review provides proof of beneficial use and the validity of this right.

Injury to Other Water Rights:

The spring flows into a ditch off of Mann Creek. There are no PODs between the spring and the ditch that might be injured by this change or correction of this de minimus stockwater right.

Enlargement of Use:

The application does not propose an enlargement of the diversion rate, diversion volume or consumptive use volume, nor is an enlargement expected.

Local Public Interest:

There are no apparent local public interest issues.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information/Analysis and Discussion

There is no additional information the applicant should provide, nor is it necessary for IDWR analysis by other IDWR programs. The application is not being parallel processing.

IDWR will solicit Watermaster comments from the Basin 67, Wieser River, watermaster. IDWR will not solicit comments from other entities and there are no other parties.

The SRBA Court issued the partial decree & results were migrated to wr records. Data entry affected the correct wr record.

This memo summarized the SRBA status in previous sections.

There are no overlapping rights at existing or proposed POD &/or POU.

Mitigation is not proposed and is therefore not an issue, nor is there a Water Bank issue.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a because a new well(s) is not proposed.