

Amended MEMORANDUM

Date: April 12, 2011
To: Transfer 77175 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes modifying the place of use for 2.0 cfs water right diverted from Fall Creek used to irrigate 107.5 acres by creating a 930.0 acre permissible place of use located approximately 9.0 to 10.7 miles west and 2.7 to 3.2 miles north of Rockland. After the transfer a combined total of 107.5 acres will be irrigated within the proposed permissible place of use. Point of diversion is located in the backwaters of Fall Creek and the tailrace of a former fish facility, water right 41-7029A. Changed point of diversion description from the ten acre tract to the forty acre tract as allowed per administrators memorandum. Since the application only modifies the place of use to include adjacent lands, and since there is no hydrologic change, the transfer was processed, and can be approved, without advertising.

- **Authority to File:**
IDWR records and provided warranty deed indicate ownership of all lands in new place of use. IDWR records also indicate the applicant is the current owner of the right involved with the transfer.
- **Water Right Validity:**
Water right 41-4030 was decreed in the SRBA 5/1/2001. Recent Aerial photography indicates that the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses 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.