

MEMORANDUM

TO: Transfer No. 77120 File

FROM: Steve Lester

DATE: April 5, 2011

RE: Evaluation of Sufficiency of Information Submitted

This is a records-correction to accurately locate the POD. Legal notices were not needed. The site is on Weitz Road in the Caldwell area.

Summary of Information Submitted

- **Authority to File:** The right is in the applicant's name, confirming his authority to make the change.
- **Water Right Validity:** The right is valid based on the 2009 decree.
- **Injury to Other Water Rights:** Injury will not occur by correcting the record. There are no diversions between the currently described location and the corrected location.
- **Enlargement of Use:** The correction does not enlarge the right.
- **Local Public Interest:** It is in the public interest to accurately identify the existing POD.
- **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 and approval of the application.**

Discussion

Data entry affected the correct record, which is the migrated partial decree.

Right 63-2549B is used at the location decreed for the transferred right. Due to some confusion attributed to the adjudication backfile information, I called the associated owner, resulting in a comment letter to that owner. That owner did not respond to the letter, implying the transfer does not pose any problems for the other owner. Transfer approval includes deleting the POD overlap condition (F05) in associated right 65-2549B. This process confirmed the contact information remains correct for the associated right.

By our default comment process, the watermaster does not have any concerns about transfer approval. By the same default method, he concurs with modified condition R43 (measure/lock in future if notified).

The transferred right is not in the water bank (see review checklist).

Summary

Watermaster conditions R05 and modified R43 were used. The actual POD is in the 10-acre tract identified in the approval. Condition F05 was omitted. The transfer should be approved.