

MEMORANDUM

TO: Transfer No. 76775 File

FROM: Steve Lester

DATE: February 8, 2011

RE: Evaluation of Sufficiency of Information Submitted

This transfer corrects POD and POU errors. Physical changes are not involved. The recorded site and the actual site are a mile apart, all on public land managed by the BLM.

Legal notices are not needed for this correction. Favorable watermaster comments were received.

The application did not include information indicating it was filed to resolve a SRBA objection. The applicant did not respond to a 9/2/2010 attempt to solicit an answer in that regard. More recent information confirmed the application should be processed to resolve BLM's objection against SRBA Recommendation 67-7851. Therefore, the correct record resulted in Workflow for this application (SRBA recommendation record).

Fred Price is the BLM contact for this application.

Deviations from Transfer Policy Standards

The actual 10-acre tract for the existing POD was incorrectly listed in the application. However, the application map (2009 photo) clearly showed the small pond in SENENE instead of SWNENE. The pond is a "pothole pond" typical of BLM systems, confirming identical sites for POD and POU.

Part 2A was missing, and Part 2B was completed but not needed.

In this case, it is not necessary to get these minor mistakes corrected.

Summary of Information Submitted

Authority to File: The BLM clearly has authority to file this transfer.

Water Right Validity: The right is presumed to be valid based on the SRBA recommendation.

Injury, Enlargement, Local Public Interest and Beneficial Use/Conservation of Water:
All of these factors are not prejudicial to approving the application.

Conclusions

The application should be approved. Locks and/or measuring devices are not needed for this pothole pond. Modified condition R05 maintains watermaster control without requiring any regulation now. Stockwater condition X02 is appropriately omitted in the transfer approval.