

MEMORANDUM

Date: January 27, 2011
To: Transfer 73746
From: dcarlson
Re: transfer evaluation

This transfer proposes to change nature of use and period of use for part of three existing water rights for Clark & Edwards canal company. This change in nature of use will be to create a pond for recreation. The pond will have a total surface area of 4.6 acres and will have a volume of 18 af. The ponds will be filled from April 1 to October 31 each year. This was originally filed and advertised as an application for permit. The State Office said to process this as a transfer, but not to readvertise it. Application for permit 01-10533 was changed to see remarks-- see transfer 73746.

Authority to File:

Applicant is the owner of record as far as the SRBA parial decrees. The President signed the transfer.

Water Right Validity:

This water right was decreed in the SRBA in 2009. Forfeiture is not an issue.

Injury to Other Water Rights:

In Water District 01. Watermaster gave his OK.

Transfer will be advertised to determine any protests. This was originally filed and advertised as an Application for permit. The State Office said to process this as a transfer, but not to readvertise it.

Enlargement of Use:

There is no evidence of enlargement of use. The mitigation plan submitted by applicant is sufficient to meet standards set by IDWR. 8 acres dried up to create the ponds.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue 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.