

MEMORANDUM

Date: January 27, 2011
To: Transfer 75969
From: Nick Van Dyke
Re: Review Memo; Application for Transfer 75969 for Lutherhaven Ministries

Narrative: Transfer 75969 seeks to change the recorded point of diversion for NIA claim no. 95-11027 from Gov Lt5 (NWSW) of Section 11 T49N R4W to the SWNW Section 11 T49N R4W. The historic well in Gov Lt5 was found to be contaminated requiring a new well to be drilled. Initially, a new well was drilled in the NWNW of same section/township/range; however that well produced very poorly requiring a second well in the SWNW of same section/township/range to be drilled. The NWNW well will not be used. No other changes proposed under the transfer.

Authority to File: Steve Meyer, Director of Operations for Lutherhaven Ministries (Lutherhaven), signed the application. A January 4, 2010, letter from Bob Baker, Executive Director for Lutherhaven, confirmed Steve Meyer is an authorized representative for Lutherhaven.

Water Right Validity: 95-11027 has been claimed and recommended in the ongoing Northern Idaho Adjudication. Forfeiture is not an issue.

Injury to Other Water Rights: None anticipated. The new well is only about 1800' from the historic point of diversion. The application was advertised, no protest was received.

Enlargement of Use: None anticipated. Diversion amount and beneficial use remains the same.

Local Public Interest: None identified.

Beneficial Use/Conservation of Water Resources: The proposed water 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.