

MEMORANDUM

TO: Transfer No. 76490 File

FROM: Vicky Music

DATE: December 16, 2010

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to add two springs on USFS land as additional PODs for water right no. 69-7008. The site is 8.8 miles east of the Snake River. It is one of several privately owned parcels nearly surrounded by the Payette National Forest. Contact person for the applicant is Brad Hild, one of the 9 water right/ property owners.

Deviations from Transfer Policy Standards

There were some deviations from policy in the transfer application but they were all rectified by the applicant and should not delay processing. The springs were correctly described to the QQQ.

A map that was referenced was not included. The checklist was not filled out entirely accurately. The proposed new PODs were springs on USFS lands and the applicant did not provide documentation that the USFS would allow the applicant access to the springs. The right backfile included a special use permit for the original spring only. The applicant provided correspondence from the USFS that they would likely approve a special use permit for the new PODs once the applicant acquired a right to use the springs.

Because the map provided was confusing, it appeared that the new proposed PODs were springs already licensed to the USFS but the applicant clarified that these were not the same springs as those proposed in the applications.

Summary of Information Submitted

Authority to File:

The applicants/ signatories are the 9 owners of record in the IDWR database and as such, have the authority to file this application.

Water Right Validity:

The right is presumed to be valid because the partial decree was issued on 1/17/2007, within the past five year period.

Injury to Other Water Rights:

The POU of the water right is in a remote area and there is no injury to other rights expected. The springs belong to the USFS and they have indicated that they will approve the springs as PODs for 69-7008 so it is apparent that the USFS does not expect injury to their rights.

Enlargement of Use:

The applicant clarified that the quantity of water decreed was sufficient for the occasional and seasonal use of the cabin. No enlargement of use is proposed or expected to occur.

Local Public Interest:

There are no apparent local public interest issues.

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 of the application.

Additional Information/Analysis and Discussion

The additional information needed has already been obtained from the applicant. No additional IDWR analysis is needed from other areas or programs within IDWR to complete an adequate review of information, issues &/or legal questions. The application will not be If parallel processed, seek agreement with SO reviewer about information received from other SO staff.

There is not a Basin 69 water district so Watermaster comments cannot be solicited.

There is no need to solicit comments from other entities or individuals.

The SRBA partial decree was issued & the results were migrated to wr records. Data entry affected the correct record, the wr record.

The SRBA status was described previously in this memo.

There are no overlapping rights at existing or proposed PODs or POU.

There are no mitigation or water bank issues.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a since a new well(s) is not proposed.