

Memorandum

Date: August 25, 2010

To: File 37-8165

From: Craig L. Saxton

Re: Review Memo Water Right 37-8165

This memo is meant to add some additional information to Aaron Marshall's October 24, 20008 review memo.

Conditions:

Along with Aaron's memo, he prepared an amended license for 37-8165 based on field exam.

My review of the amended license Aaron prepared concurs with his findings except that I added one condition limiting diversion rate:

Rights 37-810, 37-811, 37-4040, and 37-8165 when combined shall not exceed a total diversion rate of 2.66 cfs for irrigation purposes.

The 4 rights identified in the condition include an irrigation component if they are not totally irrigation rights. The permit included a condition limiting use of all rights to 0.02 cfs:

03A: The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Limiting rights 37-810, 37-811, 37-4040, and 37-8165 to 2.66 cfs is consistent with the permit conditions.

Ownership:

Per Letter from John W. Homan, Deputy Attorney General, I changed ownership on this right to:

MAGIC MFG INC
716 B E 4900 N
BUHL ID 83316