

REVISED MEMORANDUM

Date: December 20, 2010
To: Transfer 76954 File – Salmon Falls Land & Livestock
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer rearranges the place of use for water right 36-16880, currently authorized to divert 3.45 cfs from Upper Tucker Springs for the irrigation of 79 acres. Part of the original place of use now belongs to the Hagerman Highway District and is being used as a gravel pit and other changes have also been made to the system. This right is a portion of 36-136A, which was split up front in preparation for two transfers, this one and companion transfer 76938. (It should be noted that the original shape file for right 36-136A was not large enough to accommodate the 87 acres agreed upon in an SF5. The right was changed but not the shape so some additional acres had to be added in the shape file to this remainder portion after the 8 acres were removed through transfer 76938. A previous transfer was withdrawn and some additional acres were irrigated and put to beneficial use during this past irrigation season before this current transfer was filed.) No change will be made to the point of diversion. Location of the property is approximately 3 miles south of Hagerman. Per Allen's memo dated 3/18/2009, no advertising is required for this transfer.

- **Authority to File:**
The application was filed by Brad Wills on behalf of Michael Henslee, owner of Salmon Falls Land & Livestock, who signed the application. According to the Secretary of State web-site, Michael Henslee is authorized to sign on behalf of Salmon Falls Land & Livestock. Brockway Engineering is also listed as Representative. Applicant stated there is no lien holder on the property.
- **Water Right Validity:**
Parent Right 36-136A was decreed on 9/12/2002. Recent aerial photos of the area show irrigation of the property so forfeiture should not be an issue. Applicant also provided photos showing cattle grazing to support the beneficial use in the area where some of the acres are being moved.
- **Injury to Other Water Rights:**
None anticipated. The point of diversion will remain the same with combined limits in place.
- **Enlargement of Use:**
None anticipated. This area is in water district 36A so water master comments will be sought.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Irrigation is recognized as a beneficial use 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.