

MEMORANDUM

TO: Transfer No. 76945

FROM: Sharla

DATE: December 14, 2010

RE: Evaluation of Sufficiency of Information Submitted

This transfer was filed to correct the legal descriptions for the place of use. The right was decreed with a remark identifying the parcel as 11N03E038420A and that is correct, however, that parcel is located in the SWSE, not the NESW as indicated in the decree. The entire place of use associated with this domestic right is actually three adjoining parcels as shown on the warranty deed and also includes the NWSE. This transfer will not be advertised and will be processed as a records correction application to properly identify the entire place of use.

Summary of Information Submitted

Authority to File: The warranty deed submitted with the application is being used to change the ownership of the water right to the applicants.

Water Right Validity: Rights presumed to be valid as decreed in 1998. Aerial photography confirms the existence of a home on the property. The attached map identifies the three parcels listed in the Warranty Deed. I confirmed the parcel numbers and ownership thereof with the Valley County Assessors office on 12/8/10.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement of use is proposed. The place of use description will include two ¼¼ descriptions instead of one, however, the entire right remains limited to domestic use associated with one home.

Local Public Interest: No negative impacts are anticipated.

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.

Summary

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval. This transfer will not be advertised per discretion of the regional manager.

SENW

SWNE

SENE

NESW

NWSE

NESE



Parcel 3
from Warranty Deed

Parcel 2
from Warranty Deed

SESW

Parcel
11N03E038420A
per Assessor's
Office
12/8/10
aka Parcel 1
from Warranty Deed

SWSE

SESE

SESE

SESE

SWSE

SWSE

SESE

SWSE

NENW

NWNE

NWNE

NWNE

NENE