

M E M O R A N D U M

Date: December 02, 2010
To: Transfer 76900
From: bjordan
Re: transfer Evaluation

This transfer proposes to change the point of diversion for water right 35-13556. A prior application for transfer listed one of the points of diversion that currently is located in Lot 6 (NWNESE) Section 1, 03N, 36E in the wrong location. The applicant is seeking to move one of the points of diversion located in Lot 6 (NWNESE) Section 1, 03N, 36E to its desired location. The new well will be drilled within L1 (NENE) Section 1, 03N, 36E.

Authority to File:

Applicant is the current owner of water right per IDWR record and property per Taxlot data and tax assessment. Brent Lott, who is a member Cinder Butte Cattle Co., LLC, signed the application. Applicants property is subject to a mortgage with Northwest Farm Credit Services. Northwest Farm Credit Services provided a letter concurring with proposed changes.

Validity:

Water rights were decreed in 2002. Applicant still operates feedlot. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. The current points of diversion and proposed new point of diversion are within the same model cell. No ESPA analysis is required.

Transfer was advertised and there were no protests. Watermaster does not oppose transfer.

No injury issues identified.

Enlargement of Use:

No issues identified

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.