

MEMORANDUM

Date: October 22, 2010
To: Transfer 76827 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer application proposes modifying the point of diversion and place of use descriptions to reflect the actual historical locations, rather than the incorrect decreed locations for rights 72-234 and 72-235. Note that this transfer is a "paper change" only and does not actually reflect any physical hydrologic change. Therefore it is recommended that the application be processed without advertising and public notice. Note that the place of use change results in the elimination of part of the decreed place of use that was never actually irrigated and adjusts portions of the place of use to match recent SRBA recommendation 72-16770 (late claim for more water out of West Pass Creek). This results in the recorded place of use for rights 72-234 and 72-235 changing from 75.2 acres to 67.7 acres. Note that SRBA recommendation 72-16770 includes a condition limiting it to 75.2 acres when combined with rights 72-234 and 72-235. SRBA recommendation 72-16770 is included as an associated right in this particular transfer so that this overlap limit can be changed from 75.2 acres to 67.7 acres. Upon approval of this transfer, the SRBA court will have to be notified that the condition should read 67.7 acres rather than 75.2 acres so that 72-16770 can be decreed correctly.

- **Authority to File:**
The applicants are listed as the current owners of the rights involved with the transfer according to IDWR records.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA as valid rights in November of 2000. Irrigation of the property was verified during a 2010 field investigation conducted as part of the review of SRBA claim 72-16770.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses 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.