

MEMORANDUM

Date: October 15, 2010
To: Transfer 72799
From: jcefalo
Re: transfer evaluation

This transfer proposes to add a new redirection point on Goldburg Creek for a gravity pipeline system. This water right is a Pahsimeroi River right. Water is injected into and redirected out of Goldburg Creek. Place of use will not change.

Authority to File:

Applicant is the owner of record as far as the SRBA recommendation. New point of redirection and the associated pipeline are on BLM land. Existing points of redirection are also on BLM land. In Summer 2010, the Applicant was granted a right-of-way, IDI-034604, to operate the new point of redirection on BLM land and run his pipeline across BLM land.

Water Right Validity:

This water right was recommended in the SRBA in 2006. Forfeiture is not an issue.

Injury to Other Water Rights:

The new redirection point on Goldburg creek is upstream from the existing redirections, closer to the injection point. The pipeline system will divert 3.0 cfs, or half of the total diversion rate authorized under water right 73-146. Transfer was advertised to the public and was protested by the BLM and Western Watersheds Project. BLM withdrew its protest and issued the right-of-way described above. To resolve the protest filed by Western Watersheds Project, Applicant agreed that when the pipeline is diverting water, the other two points of redirection may not exceed 3.0 cfs under water right 73-146.

Watermaster in Water District 73 was notified of the transfer but did not provide comment.

Enlargement of Use:

There is no evidence of enlargement of use. The watermaster will still deliver the same CFS to the proposed redirection points as he would at the existing redirection points.

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.