

MEMORANDUM

TO: Transfer No. 75920

FROM: Kay Walker

DATE: July 7, 2010

RE: Evaluation of Sufficiency of Information Submitted

This transfer proposes to add two points of diversion from unnamed streams to this water right. The unnamed streams are from springs located in old mine shafts pursuant to correspondence from the applicants representative. The springs flow naturally from the horizontal mine shafts so they can be considered as surface water sources and known as unnamed streams.

The site is located approximately 2.5 miles northwest of Placerville.

Contact person for the applicant is Lori Graves, Water Right Specialist, SPF Water Engineering at 383-4140.

Deviations from Transfer Policy Standards

Application states that the place of use will be changed under this proposal. However, in review of the current place of use and proposed place of use there is no change in legal descriptions of the location of place of use. I requested clarification from the representative and she confirmed that there will be no change in the place of use.

Summary of Information Submitted

Authority to File:

The transfer applicant is a business authorized to do business in Idaho under No. W66018. The person signing the application is an authorized agent of the business and one of the parties that the water right was decreed to in the SRBA.

The applicant has provided letters from two lending institutions that have an interest in this property and both institutions are in agreement with the transfer application.

Water Right Validity:

Right presumed to be valid because the partial decree was issued on April 24, 2003 and then the right was enrolled in the Water Supply Bank in April of 2007. The water right is still enrolled in the water supply bank; portions of the right will be withdrawn as needed while mining use is resumed.

Injury to Other Water Rights:

There should be no injury to other rights if the right holder adheres to the quantity of water listed on the decrees. Original application states flow meters will be installed if necessary.

Enlargement of Use:

Representative states there will be no enlargement in use or season of use pursuant to approval of this proposal. See correspondence dated 6/21/2010.

Local Public Interest:

It is within the public interest to allow water users to modify their water rights if necessary.

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.

Additional Information/Analysis

Watermaster comments will be solicited.

Discussion

Data entry affected the correct record of this water right which reflects the partial decree that was issued in April of 2003.

Overlapping rights at the existing &/or proposed POD &/or POU consist of Rt. 63-2117 that is held by the applicant. Rt. 63-2117, from Confederate Gulch Creek, is also enrolled in the Water Supply Bank and will be removed as needed in the mining operation.

Water Bank issues include the fact that the right being transferred and Rt. 63-2119 are both enrolled in the Water Supply Bank.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.