

## MEMORANDUM

TO: Transfer No. 76727

FROM: Sharla

DATE: August 9, 2010

RE: Evaluation of Sufficiency of Information Submitted

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The transfer proposes to change the point of diversion description from a 10-acre tract to a 40-acre tract to allow flexibility for drilling a replacement well. The site is located at the corner of Hwy. 55 and 10<sup>th</sup> Ave.

Contact person for the applicant is Lori Graves with SPF.

### **Deviations from Transfer Policy Standards**

This transfer application only proposes a replacement well within the same 40-acre tract as previously described down to a 10-acre tract. The application will not be advertised nor are comment letters necessary.

### **Summary of Information Submitted**

**Authority to File:** Applicant is owner of record and is therefore authorized to file the transfer application.

**Water Right Validity:** Right presumed to be valid because the partial decree was issued within the past five year period.

**Injury to Other Water Rights:** None anticipated.

**Enlargement of Use:** No enlargement will occur. Well is simply being replaced.

**Local Public Interest:** Agriculture-based state; beneficial use presumed to be within the local public interest.

**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.**

Data entry affected the correct record. Overlapping condition decreed with combined totals of this right and right 63-7202. Unless the other right was diverted from the same point of diversion, I would not include such a condition, however, it was decreed that way and since no one has raised the issue, the condition will be retained.

### **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. Condition 046 will be applied.