

MEMORANDUM

Date: July 13, 2010
To: Transfer 76652
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and accomplish an ownership change for water right 25-14267. The Quail Ridge Estates Subdivision and McDaniel Subdivision, Division No.1 was developed on land associated with water rights 25-2151 and 25-71021. The applicants own lot 7 Block 2 within the McDaniel Subdivision which is appurtenant to a portion (1.1 acres) of water right 25-2151. The applicants are seeking to change the point of diversion to their property where they have an existing well and change the ownership to a portion (1.1 acres) of water right 25-2151.

This is one of several transfers that may be filed by Quail Ridge Estates Subdivision and McDaniel Subdivision, Division No.1 lot owners to change the point of diversion and change the ownership for a portion of water right 25-2151. Because there may be several transfers filed to change the point of diversion and change the ownership for a portion of water right 25-2151, the water right will be split upfront prior to any and all lot owners filing a transfer.

Transfer 76574 resulted in right 25-2151 being pre-split into 25-14255 (lot owner portion) and 25-14254. Transfer 76585 resulted in right 25-14254 being pre-split into 25-14257 (lot owner portion) and 25-14256. Transfers 76593 and 76594 both filed approximately the same time resulted in right 25-14256 being pre-split into 25-14260 (lot owner portion), 25-14259 (lot owner portion) and 25-14258. Transfer 76619 resulted in right 25-14258 being pre-split into 25-14262 (lot owner portion) and 25-14261. An ownership change was filed splitting right 25-14261 into 25-14264 and 25-14265. This transfer resulted in right 25-14264 being pre-split into 25-14267 (lot owner portion) and 25-14266.

Applicants paid for a well upgrade.

Authority to File:

Applicants submitted a trail of deeds proving they own 1.1 acres of right 25-2151.

Water Right Validity:

Right 25-2151 was decreed in September, 2005. Forfeiture is not an issue.

Injury to Other Water Rights:

This water right is neither within a water district nor groundwater district. The point of diversion change is moving north approximately .4 miles. This point of diversion change is within adjacent ESPA model cells. No ESPA analysis required. There is no evidence of injury or change in water source. Will process as a non-advertised transfer.

Enlargement of Use:

There is no evidence of enlargement of use.

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.