

MEMORANDUM

Date: July 14, 2010
To: Transfer 76579
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change place of use for water rights 75-4107A, 75-14169 and 75-14597 to a single permissible place of use and add a point of diversion. This transfer also proposes to change the point of diversion for right 75-14169. IDWR records indicate the point of diversion for right 75-14169 is in Lot 3, NWNENW of 19N, 21E, Section 1 which is a discrepancy. The physical location of the point of diversion is in Lot 3, NENENW of 19N, 21E, Section 1. The adding of a point of diversion is the result of an existing buried pipeline being installed in 2003-2004. The applicants primarily divert all their water through the installed pipeline but want to keep existing point of diversion as a backup. Changing the place of use will allow the applicant to have more flexibility in using their water rights within a 7.5 acre permissible place of use.

Authority to File:

The applicant is the owner of water rights per IDWR record, property per Lemhi County taxlot data (updated March, 2009) and warranty deed. Easement for the point of diversion and pipeline is provided through a warranty deed.

Water Right Validity:

Decreed in 2008. Forfeiture is not an issue.

Injury to Other Water Rights:

Not within the ESPA nor a WD. Transfer was advertised and there were no protests. There are approximately 12 other water rights that are diverted at or in between the existing and proposed POD. The applicants have an earlier or same priority date than those who divert at or in between the existing and proposed POD. No injury issues identified.

Enlargement of Use:

No issues identified

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.