

MEMORANDUM

Date: July 21, 2010
To: Transfer 75348
From: dcarlson
Re: transfer evaluation

This transfer proposes to add a point of diversion and correct the legal description of the place of use. The decreed place of use is correct except for one QQ. The transfer seeks to change from the NWNW to the NENE of section 25. This change is logical because it makes the place of use one contiguous area. The new point of diversion is upstream about 2 miles in an existing ditch. A condition will be added to limit the use of this new point of diversion to when there is water for delivery at the old point of diversion. No other water rights are used at this place of use. Diversion rates in excess of 0.02 cfs/acre can be accounted for in ditch losses to the place of use.

Authority to File:

Applicant provided deeds showing they own the place of use for the water right. Tax lot information from Franklin County verifies they own the property.

Water Right Validity:

This water right was used for irrigation when available. Aerial photography show the place of use to be irrigated and shows ditches in place. Forfeiture is not an issue.

Injury to Other Water Rights:

Moving the point of diversion and correcting the place of use. Can use the new point of diversion only when water would be available at the old diversion. Water district 11 water master did not respond. This diversion is not regulated on a daily basis. Transfer will be advertised to determine any protests. No protests received.

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.