

MEMORANDUM

Date: April 26, 2010
To: Amended Transfer 70444 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the recorded place of use of four groundwater rights (37-7268, 37-7454, 37-7602, and 37-8679) by creating a 489 acre permissible place of use. The rights are located within water district 130 and will continue to be diverted via the currently authorized diversion point. Since the shifting of portions of the place of use to adjacent lands will result in no hydrologic impact, it is recommended that this transfer be processed and approved without public notice advertising. Note that one of the rights, 37-8679, has a condition referring to surface water rights and that one of the deeds for a portion of the proposed place of use indicates that Big Wood Canal Company shares were conveyed with the property.

- **Authority to File:**

The applicant (Alton & Paula Huyser Trust) is listed as the current owner of the rights involved with the transfer according to IDWR records. Copies of various deeds have been provided showing that the applicant owns the majority of the proposed place of use. However, note that one of the deeds for a portion of the proposed place of use lists the owner as Alton and Paula Huyser rather than the trust (actual transfer applicant). A statement of authorization signed by Mr. and Mrs. Huyser has been included indicating their consent to the proposed transfer, and also indicating that the ownership of the rights will remain in the name of the trust (transfer applicant).

- **Water Right Validity:**

The rights involved with the transfer were subject to a preliminary order issued in December of 2006 that corrected the licenses.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.