

MEMORANDUM

Date: April 09, 2010
To: Transfer 76341
From: dcarlson
Re: transfer evaluation

This transfer proposes to change the place of use slightly and move the point of diversion downstream from

L-52 to L-46A on the Lemhi River. The new point of diversion is 4.5 miles downstream from the old point of diversion. The L-52 diversion will be no longer needed. SRBA recommendation 74-15583 for high water in the L-52 diversion will be withdrawn upon approval of this transfer. Nature Conservancy will stop using L-52 also.

The overlap with 74-1556 remains the same. The current users on the new point of diversion gave a verbal ok for this change. This is a junior water right.

Authority to File:

Applicant is the owner of record as far as the SRBA decree.

Water Right Validity:

This water right was decreed in the SRBA in 2007. Forfeiture is not an issue.

Injury to Other Water Rights:

In Water District 74. Watermaster will comment. Watermaster did not respond.

Condition added that the same amount of CFS can be diverted at the new point of diversion as what would be

available at the old diversion.

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.