

M E M O R A N D U M

Date: February 25, 2010
To: Transfer 76320 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to correct the recorded legal description of an authorized point of diversion of two groundwater rights (43-13281 & 43-13283) to reflect the actual well location due to the drilling of a replacement well in 2005. The current point of diversion is recorded as Twp 10S Rge 27E Sec 26 SWNESE, the new recorded authorized point of diversion will be Twp 10S Rge 27E Sec 26 NWSESE. The area associated with the transfer is approximately 19.0 miles due east of Declo and is located within the Raft River Critical Groundwater Area. The properties and points of diversion are located outside the ESPA smooth water boundary and are not associated with any water district. It is recommended no advertisement and region approval.

- **Authority to File:**
The applicants are listed as the current owner of the rights being corrected according to IDWR records.
- **Water Right Validity:**
43-13281 & 43-13283 have been decreed in the SRBA as valid rights.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Transfer is to make a correction to reflect the actual point of diversion.
- **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.