

MEMORANDUM

TO: Transfer No. 76147 File
FROM: Steve Lester 
DATE: January 25, 2010
RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change the diversion to a new pump station for a more efficient system being upgraded in a NRCS cost-sharing project.

The site is along the south side of the Snake River about 7 miles downstream from Hammett.

Summary of Information Submitted

Authority to File: The right is recorded in the name of the applicants. The database shows “or” as a name connector. The application uses “and” as a connector. An approval can be issued without changing the recorded name connector and without amending the application for this minor point.

Water Right Validity: The right was decreed in June 2009, and the application was filed in November 2009. This right is valid.

Injury to Other Water Rights: No existing diversions occur between the current and proposed PODs. The proposed change will not injure other rights.

Enlargement of Use: Enlargement is not proposed and will not occur. The same amount of water is available from the river in the current and proposed diversion points.

Local Public Interest & Beneficial Use/Conservation of Water Resources: Improved irrigation efficiency serves the local public interest and is consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

Data entry affected the correct, the migrated partial decree.

Although not listed on the application, the transfer also corrects a data entry error for the POD: T5S currently shown in the right is 6 miles north of the actual site, T6S in the application is correct.

Legal notice and comment letters are not necessary. The current and proposed diversions are about ¼ mile apart, all within the applicant's property.

Original Page 2 of the application was incomplete and incorrect. That page was amended via email. This is acceptable under the circumstances.

The application describes the 40-acre tract for new POD. The new point will be adjacent to the section line in a clearly identified 10-acre tract. Approval of the application with a 10-acre POD will not unduly limit the applicant in this case.

The application should be approved.