

MEMORANDUM

Date: December 21, 2009
To: Transfer 75431
From: bjordan
Re: Tranfer Evaluation

This transfer proposes to change the point of diversion on water right 73-12035. Applicant proposes to move the point of diversion from a spring that is Tributary to the Pahsimeroi River to the Pahsimeroi River. The place of use will remain the same.

This transfer was filed to resolve an objection submitted by Robert W. Chewing back in 2007 (see scanned documents under 73-12035). Applicant will be using the point of diversion under 73-4104 which is located on the Pahsimeroi.

Authority to File:

The application for transfer was filed by Starr W. or Gloria J. Coleman. Starr W. Coleman (applicant) is the current owner of water rights per IDWR Record. Starr signed the application. The owners of water right 73-12035 are Dick H. Coleman or Starr W. Coleman. Dick H. Coleman has since passed away (see scanned documents under 73-12035; Objection). Dick H. Coleman will still be a current owner on water right per phone conversation with Starr Coleman. The approval transfer document will be updated to only have Starr Coleman as the applicant; since there will be no name changes to water right.

Water Right Validity:

Right 73-12035 is a beneficial use water right recommended to the court by IDWR. Forfeiture is not an issue. Nature of use is irrigation/stockwater.

Injury to Other Water Rights:

Water right is in Water district 73. This is a surface water right. The proposed point of diversion change is moving downstream closer to place of use. Right 73-12035 has a 1945 priority date which will move downstream past Idaho Power diversions found under 73-7055 (1981 priority) and 73-7006 (1969 priority). there will be no injury to Idaho Power water rights. No ground water analysis needed. No watermaster comment was recieved. IDWR presumes that watermaster does not oppose approval of application.

Advertise to determine protest.

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.