

MEMORANDUM

Date: December 23, 2009
To: Transfer 76182
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use for water rights 73-127 and 73-12041. Part of the field south of Morgan Creek and a field north of Morgan Creek (total 11.6) will be abandoned and used on a bench north of Morgan Creek and above existing fields irrigated partly from Morgan Creek and partly from North Fork Morgan Creek. The new fields will be irrigated by a ditch from North Fork Morgan Creek.

Authority to File:

Applicants are the current owner of water rights per IDWR record and 2009 Lemhi county taxlot data. Patrick and Karen Simpson who are the owners signed the application. The diversions on North Fork Morgan Creek are on BLM property. However, these diversions date from the early 1900s and are prescribed by law.

Water Right Validity:

Water right was decreed in 2009. Forfeiture not an issue.

Injury to Other Water Rights:

Within WD 73. Applicants are moving the POD upstream. No evidence of injury. Will request watermaster comment
Advertise to determine protest.

Enlargement of Use:

No issue identified

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.