MEMORANDUM

Date: January 05, 2010

To: Transfer 76164

From: bjordan

Re: Transfer Evaluation

This transfer proposes to change the point of diversion and add a point of diversion for water right 74-345. Applicant states that adding a point of diversion at a higher elevation will increase the gravity pressure used for the pivots greatly reducing the energy consumption required for irrigation. This transfer will also change the point of diversion for water right 74-345. The proof report for right 74-345 describes one of the points of diversion to be located in Lot 8, SENE of 15N, 25E, Section 5. The spatial location of the point of diversion is in the NENE of 15N, 25E, Section 5. The proposed point of diversion to be added is located in the SWNE of 15N, 25E, Section 8 known as the Cartwright Ditch. This water right will now be using Teds Ditch, Herman's Ditch and or the Cartwright Ditch. The place of use will remain the same.

Authority to File:
Applicants are the current owner of water rights per IDWR record. Both James and Paula Whittaker signed the application.

Water Right Validity:
Water right was decreed in 2008. Forfeiture not an issue.

Injury to Other Water Rights:
Within WD 74-Z. Applicants propose to add point of diversion upstream. No evidence of injury. No evidence of injury. Water master does not oppose transfer. There were no protests.

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.