

MEMORANDUM

TO: Transfer No. 75429
FROM: Sharla Curtis
DATE: December 17, 2009
RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to correct the place of use description of a single domestic ground water right to match the description of the location of the point of diversion. It is a records correction only. The place of use should have been entered the same as the legal description of the point of diversion (domestic well). The place of use as recorded is ½ mile away from the point of diversion and crosses BLM land; it's obvious that the recording of the place of use in the SENE was a typographical error and should have been the SENW to begin with.

Deviations from Transfer Policy Standards

This transfer will not need to be advertised since it is a simple records correction. No parallel processing will be needed with the State Office.

Summary of Information Submitted

Authority to File: Warranty deed and other ownership change documents are included as part of the transfer file.

Water Right Validity: This right was decreed in the Payette River decree in 1986; domestic claims were not required to be filed in the SRBA, so the right continues valid. Aerial photography confirms a domestic dwelling and a Bill of Sale was included with the ownership documentation for the mobile home located on the property. Taxlot data matches transfer documents.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement of use is proposed; rate, volume, number of homes remains the same.

Local Public Interest: Residential dwellings in which the public can reside are considered to be in the public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use 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.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a since a new well is not proposed.