

MEMORANDUM

Date: October 14, 2009
To: Transfer 76009
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion to water right 75-14515. The point of diversion legal description is incorrect. The actual point of diversion has been located in the NENENE of 19N 21E Section 1 Lot 1 for several years. Therefore applicant proposes correct the POD legal description by filing a transfer to change the POD. This transfer application is one of many that need to be filed in order to correct the legal description on the same POD. Nature of use is irrigation.

Authority to File:

BLM is the current owner of water rights per IDWR record and 2009 taxlot data. Marv Hutchings runs the BLM property which is allowed under land use permit IDI-36112. The point of diversion is located on Adam and Ella Deutchmans property. Hutching has an easement agreement with Adam and Ella Deutchman to have a buried pipeline and access to POD on 12 Mile Creek. Transfer application was signed by Steve Hartmann who is the Field Manager for the BLM.

Water Right Validity:

Water right decreed in 2008. Forfeiture is not an issue.

Injury to Other Water Rights:

NO WD. No evidence of injury.
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.