

MEMORANDUM

Date: September 23, 2008
To: Transfer 74313 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes changing a 0.04 cfs (1.5 acre) portion of irrigation right 47-2370 to wildlife use associated with a pond located approximately 0.85 miles north and 1.4 miles west of the center of Buhl. The remaining 0.36 cfs (13.5 acres) portion of right 47-2370 will be used to irrigate land around the pond. In total, up to 0.40 cfs will be diverted from four points of diversion from an unnamed stream that flows along the west edge of the pond. The transfer proposes adding three additional points of diversion, bringing the total from one to four. Note that the 1.5 acre conversion to wildlife use mitigates the evaporative losses associated with companion Application for Permit 47-17461. The area associated with the transfer is not located in a water district, and is outside the ESPA common area. Note that processing of this transfer was delayed for some time due to an objection in the SRBA to recommendation 47-2370. This particular objection was recently resolved via the filing of an SF5, allowing for continued processing of the application. However, note that part of the SF5 agreement was that a condition stating "The source of this water right includes waste water. The wasting of water may be discontinued at any time" be incorporated into the recommendation. Therefore the same condition has been incorporated into the draft approval of transfer # 74313 and companion Application for Permit 47-17461.

- **Authority to File:**
The applicants are listed as the current owners of the right being transferred according to IDWR records.
- **Water Right Validity:**
The right involved with the transfer has been recently recommended to the SRBA court as a valid right.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.