

MEMORANDUM

TO: Transfer No. 75797 File

FROM: Vicky Music

DATE: August 20, 2009

RE: Evaluation of Sufficiency of Information Submitted

This transfer proposes to change elements of water rights 67-15005 and 67-15006. Right no. 67-15005 is owned by the applicant's ex-husband, William Phipps and was split just prior to transfer no. 75761, which was filed at the same time as this application. Ms. Spreadbury filed this application to create a permissible place of use with her portion of 67-15005 and 67-15006. She intends to change the point of diversion for both rights to another location on N Crane Creek.

The site is in Washington County, approximately 11 miles south of Indian Valley and 16 miles southeast of Midvale. It is in the vicinity of the intersection of N Crane Rd and N Crane Creek. Contact person is the applicant Verona Spreadbury.

Deviations from Transfer Policy Standards

The application is very complete and complies with transfer memo #24. There are no deviations to delay the processing of the application.

Summary of Information Submitted

Authority to File: Mr. Phipps and Ms. Spreadbury provided proof of ownership for 67-15005 when it was split into 67-15028 (Phipps) and 67-15029 (Spreadbury) via transfer no. 75761. Ms. Spreadbury is the IDWR owner of record of water right no. 67-15006.

Water Right Validity: Right presumed to be valid because the partial decree was issued on 6/30/2009 within the past five year period.

Injury to Other Water Rights: No injury is expected by changing the POU and POD. The applicant owns the property between the original and additional POD and owns the original and proposed POU.

Enlargement of Use: There is no enlargement of use proposed.

Local Public Interest: There are no obvious local public interest issues.

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

Additional Information and Discussion

Right 67-15005 was for 1.62 cfs and the irrigation of 64.2 acres. Right no. 67-15005 was split into 67-15028 (Phipps) 1.2 cfs for the irrigation of 47.6 acres and 67-15029 (Spreadbury). Ms. Spreadbury's right 67-15029 is for 0.42 cfs and 16.6 acres irrigation.

This transfer is changing the point of diversion for her rights to a point further south on N Crane Creek on her property and combining 67-15029 and 67-15006 into a permissible place of use. Right 67-15006 is for 0.38 cfs and 15.2 acres irrigation. After this transfer, the rights will be limited to 0.8 cfs and 31.8 acres within a 102-acre permissible place use.

A remark regarding conveyance loss was included in the SRBA recommendation by mistake. I am removing it in this transfer.

No additional information is needed from the applicant nor is additional IDWR analysis needed.

Watermaster comments will be solicited from the Basin 67, Weiser R, watermaster.

SRBA status was discussed previously in this memo.

There are no overlapping water rights for either the PODs or POU.

Mitigation is not proposed in this 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(s) is not proposed.