

MEMORANDUM

Date: June 24, 2009
To: Transfer 75174 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to change the point of diversion and place of use for a domestic and stockwater groundwater right on a residence located approximately 1.2 to 1.7 miles north of the City of Jerome. An existing well located approximately 1.6 mi north of Jerome will be used to divert up to 0.08 cfs for these uses, limited to 13,000 gallons per day. This transfer is being accomplished to correct water right 36-13811, which was apparently partially decreed in the wrong location. The parcel number in the conditions of water right 36-13811 also indicates that it was decreed on the wrong parcel. Two rights 36-10820 and 36-14730 have been decreed on the proposed place of use, but these apparently have also been decreed incorrectly, as the parcel number in the conditions do not match that of the current place of use, neither do they match the owner. This water right falls within the boundaries of WD130, but is exempted from its jurisdiction, therefore no watermaster comments are needed.

- **Authority to File:**
The application was filed by Paul D. and Deborah W. Eakin, who are listed as current owners on the water right. An ownership change was filed and processed in late 2007 transferring the right from Bert Eakin to Paul and Deborah. A Personal Representatives Deed of Distribution (instrument #2077498, Jerome County) was provide with the change of ownership and this application, indicating the applicants own the proposed place of use.
- **Water Right Validity:**
Water right 36-13811 was issued a partial decree in the SRBA on December 13, 1996.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. Rights will be limited as previously decreed.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is 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.