

## MEMORANDUM

**Date:** June 11, 2009  
**To:** Transfer 75668  
**From:** ecarlsen  
**Re:** transfer review

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The partial decree for 35-10967 had the wrong legal description for the pod and pou. The purpose of the transfer is to correct this error so the pod and pou are consistent with the actual location of the well and home. The old pou and new pou were both owned by Inez Cornforth, deceased, now both are owned by Brent Cornforth.

**Authority to File:**

Applicant confirmed ownership of the water rights by submitting warranty deeds showing chain of title back to the water right owner of record.

**Water Right Validity:**

The water rights were decreed in the SRBA in 1997 but the error was detected until Brent Cornforth submitted a change in ownership following his mothers death. The home has been lived in continuously and is currently occupied by Cutter Cornforth, Brents son.

**Injury to Other Water Rights:**

Because the transfer does not actually represent a change but a correction in the location of the pod and pou there will be no hydrologic impact or injury to existing water rights. Transfer will be processed without advertising.

**Enlargement of Use:**

The correction of the legal description for the pod and pou will not result in an enlargement of use.

**Local Public Interest:**

No issues identified.

**Beneficial Use / Conservation of Water Resources:**

No issues identified.

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