

MEMORANDUM

Date: February 6, 2009
To: Transfer 75397 File
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to split an instream flow stock water right currently diverting 0.04 cfs and 26.9 af from House Creek and transfer half to a new point of diversion with a pipeline to new places of use (troughs) on land owned by the applicant. Application contained an Option to Transfer Stockwater agreement between Aslett Ranches and Brackett Ranches and an addendum to the agreement specifying the amounts as recommended in the SRBA. The addendum also granted an easement for Brackett to install and maintain the point of diversion in House Creek. Deeds were provided which showed Brackett Ranches owns the proposed trough locations. (He initially wanted to put a trough in the NENE of Section 36 but that is State Land and it would have taken a long time to get some sort of approval from them so he dropped that one off.) Location of the point of diversion is approximately 8 miles south and 19 miles west of Hollister (Basin 47) and the places of use are located along a pipeline between 6 – 11 miles west and 4 – 9 miles north of there (Basin 51).

- **Authority to File:**
The application was filed by Ira Brackett for Brackett Ranches Limited Partnership. An **Appointment of Manager and Certification of Managers Authority for Brackett Ranches Limited Partnership** was provided that gave Ira the authority to sign the application for transfer. Application indicated there was no lien holder on the property.
- **Water Right Validity:**
Right 47-14320 was recommended in the SRBA but has not yet been decreed. An Objection has been filed by the original owner of the right, Aslett Ranches, but it is for a correction in the beginning and ending points of the instream diversions because of the designation as government lots. This should not affect this transfer since it will be a different point of diversion.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated with the proposed conditions of approval. The proposed point of diversion is within Water District 47C so watermaster comments will be sought.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed stock water use is recognized as a beneficial use 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.

MEMORANDUM

Date: February 06, 2009
To: Transfer 75397
From: jroberts
Re: Legal Notice Remarks

Transfer proposes to split an instream stock water right currently diverting 0.04 cfs and 26.9 af from House Creek and move half to a new pipeline diversion to troughs. Location of the point of diversion is approximately 8 miles south and 19 miles west of Hollister and the troughs will be located along the pipeline between 6 - 11 miles west and 4 - 9 miles north of there.

[illegible]