

MEMORANDUM

Date: February 23, 2009
To: Transfer 74584
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use on water right 21-2100. There are two PODs associated with water right 21-2100, one on Pittsburg Creek (Unnamed Stream) and one on Sherwood Springs Creek, (aka Hatchery Creek). Applicant proposes Change the Pittsburg Creek (Unnamed Stream) POD to a POD off of Henrys Lake. Applicant has a fish hatchery facility just off the shore of Henrys Lake and proposes to pump water from Henrys Lake, divert it through fish hatchery facility and re-divert the water back into Henrys Lake. Four out of the six CFS under water right 21-2100 is diverted from Pittsburg Creek (Unnamed Stream). Applicant proposes to divert the four CFS out of Henrys Lake. The POU under water right 21-2100 covered only a portion of the fish hatchery operation. Therefore, the applicant proposes to change the POU to cover the whole fish hatchery operation.

There was a motion to set aside the partial decree to water right 21-2100. This transfer was submitted to resolve objections.

Authority to File:

Applicant is the current owner of water rights. Taxlot data indicates the applicant is owner of new POU which is within the NESW, SESW, NWSE and SWSE of 16N 43E Sec 33. The Applicant who signed the transfer is Thomas S Frew, Resident Hatchery Supervisor.

Water Right Validity:

Decreed in 2007. Nature of use is Fish Propagation.

Injury to Other Water Rights:

In water district 01. Watermaster does not oppose this transfer.
Advertise to determine protest.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.