MEMORANDUM

Date: December 30, 2008

To: Transfer 75165

From: narave

Re: Transfer evaluation

The purpose of this transfer is to change the point of diversion allowing the well to be replaced in a more optimal location. This transfer was amended due to an inconsistency in the legal description for the new point of diversion and the map supplied with the application. The amended application reflects the corrected legal description for the new point of diversion.

Authority to File:
The applicant submitted a copy of the deed with a change of ownership in 2005. He has further submitted a tax notice from 2007. The change in point of diversion does not move the well outside of property owned by the applicant.

Water Right Validity:
This ground appears irrigated in 2008 Landsat imagery.

Injury to Other Water Rights:
The transferred water rights are contained within water district 120. Watermaster will comment. Transfer will be advertised to determine any protests. This transfer moves a point of diversion in the Eastern Snake Plain Aquifer (ESPA). The change will move the point of diversion between two adjacent cell and as a result no ESPA model analysis was done.

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.