

MEMORANDUM

Date: January 22, 2009
To: Transfer 74837
From: narave
Re: Evaluation Memorandum

The purpose of this transfer is to add a new point of diversion and a new source to this water right. The existing source is an unnamed stream fed by a spring, and the new source will also be an unnamed stream fed by a spring. In both cases the spring is proximal to the diversion works. Both springs drain into the same ditch discharging into the Lemhi River. The applicant and water right 74-15535 owner are the only users on this system. Transfer should not result in a net change in return flows to the Lemhi River.

The transfer adds a point of diversion to a 1.82 cfs water right with a fee of \$290. Water right 74-15534 overlaps the place of use and was brought into the transfer as an associated right for the purpose of adding a combined use limitation on acres.

The use of this spring for irrigation of the property has been a historical practice. The point of diversion was mapped during the Lemhi Adjudication, but was not included in the decree of this water right in that adjudication. This transfer will correct this omission.

This spring is not tributary to Little Sawmill Creek which can also be seen on the map generated during the Lemhi Adjudication.

Authority to File:

The Knights are listed as owners on the partial decree issued in 12/07 based upon change of ownership submitted in 2005, submitted with proof of ownership documents.

Water Right Validity:

This water right was decreed in 2007 by the Snake River Basin Adjudication Court.

Injury to Other Water Rights:

The transferred water rights are contained within water district 74. The watermaster does not oppose this transfer and this transfer was not protested during advertisement.

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.