

MEMORANDUM

Date: December 19, 2008
To: Transfer 74664
From: dcarlson
Re: transfer evaluation

Transfers 74000, 74013, 74664 and 74665 propose to move a portion of the ground water rights and surface water rights from the east place of use to the west place of use in a pro rated amount. Moving 49.9 acres total from a 248.1 place of use. Combining both places of use into a ppu and combining points of diversion and correcting some of the pods.

All the water rights are being transfered in some form, all were advertised to be transfered. The approval

documents may look like parts are unchanged but all were changed.

Brockway submitted 6 transfers we combined four of them into two transfers and were going to make a larger

ppu with the junior surface rights, but ended up splitting everything out separately with no large ppu.

After advertising them we had a conference with the Applicant and Consultant and they agreed to provide

a place of use shape that was closer to their actual place of use. The east side pou now is the same acres in size as their water rights would provide. The west side is about 14 acre larger than their water rights would provide.

34-2418 is a recommendation as disallowed in the SRBA court. This right was included in these transfers.

On this transfer 74664 the point of diversion is just the well in NWNE sec 31. The injection and rediversion was dropped.

Authority to File:

Applicant completed an ownership change on the SRBA decrees.

Water Right Validity:

These water rights were decreed in the SRBA in 2002. Photos show it to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

All the groundwater wells are in adjacent cells. No analysis is needed.

Watermaster gave his ok.

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use. Same number of acres irrigated.

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 42-2 Idaho Code preventing processing of this application.