

## MEMORANDUM

TO: Transfer No. 74867

FROM: Sharla Curtis

DATE: December 16, 2008

RE: Evaluation of Sufficiency of Information Submitted

---

The transfer proposes to correctly identify the lands historically served by the ditch company and changes the digital boundary to match those descriptions. The ditch company recently filed an application for permit and at the time of preparing the application to describe the place of use, it was noted that the digital shape file and legal descriptions on their existing rights were not in sync. The transfer was filed to rectify that situation.

### **Deviations from Transfer Policy Standards**

Because of the simple changes to be accomplished via this transfer, it has been decided by regional management that the transfer does not need to be advertised nor will it be parallel-processed with State Office personnel. The changes can be made and the approval can be issued at the region.

### **Summary of Information Submitted**

**Authority to File:** Applicant is the owner of record.

**Water Right Validity:** Rights presumed to be valid because although the partial decrees were issued in 2002, more than five years ago, aerial photography for 2004 and 2006 confirm irrigation within the boundaries of the ditch company and the watermaster has confirmed water delivery to this entity in each of the five years past.

**Injury to Other Water Rights:** None anticipated

**Enlargement of Use:** No enlargement will occur, transfer simply corrects the digital boundary and legal descriptions of the lands historically served by the ditch company.

**Local Public Interest:** No negative impacts are expected.

**Beneficial Use/Conservation of Water Resources:** The application proposes beneficial use(s) consistent with conservation of water resources in Idaho.

**Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.**

### **Summary**

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.