

MEMORANDUM

Date: December 16, 2008
To: Transfer 75236
From: jcooper
Re: Sufficiency Memo

Date: November 14, 2008
To: Transfer 75236 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use by removing 2.1 acres of rocky land and land along river in the current place of use (POU) and move these acres to an area within, but not included in the current POU. These acres have historically been irrigated but not included in the decreed POU. The current and proposed place of use is located approximately 4.25 miles south and 2.0 miles west of Carey. Irrigation is served by three Silver Creek irrigation water rights (37-6, 37-7, & 37-8) with three points of diversion along Silver Creek. This transfer is a result of a consent agreement to bring current uses into compliance and change the water rights to reflect the current irrigation system. Proposed use is within WD 37-M, so Water Master comments will be needed.

· Authority to File:

This right is currently in the name of William Molyneux. The proposed changes will occur on the same parcels where the water rights currently exist. Application stated there was no lien holder on the property.

· Water Right Validity:

Right 37-6, 37-7, and 37-8 were decreed on 09/29/2006, so forfeiture should not be an issue.

· Injury to Other Water Rights:

None anticipated.

· Enlargement of Use:

None anticipated.

· Local Public Interest:

No negative impacts anticipated.

· Beneficial Use/Conservation of Water Resources:

Proposed use of irrigation is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.