

MEMORANDUM

Date: December 10, 2008
To: Transfer 74737
From: dcarlson
Re: transfer evaluation

This transfer proposes to unstack 5 acres of a groundwater right from the other overlapping rights. Applicant purchased part of the existing place of use with 5 acres of gw rights of a particular priority date. 35-8001A is for 5 acres so it will be unstacked from the others. They will use an existing domestic well as the new point of diversion. Transfer 74738 will change the remaining rights to complete this unstacking.

Authority to File:

Applicant has provided 2 deeds from the owner of record as far as the SRBA decree, for the place of use and for the water rights transaction. They purchased a portion, 5 acres, of a specific groundwater right priority date.

Water Right Validity:

This water right was decreed in the SRBA in 2002. Photos from 2006 show crops. Forfeiture is not an issue.

Injury to Other Water Rights:

No well change. No place of use change. In water district 120. Will request comments. Transfer will be advertised to determine any protests.

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.