

MEMORANDUM

TO: Transfer No. 73772 File

FROM: Cherie Padilla

DATE: August 26, 2008

RE: Evaluation of Sufficiency of Information Submitted

The purpose of this transfer is to create a permissible place of use of 114.3 acres. The right the transfer is concerned with is 65-2614 and is for 34 acres total with the Payette River as the source. The current place of use will be converted into a 29 lot subdivision, so the PPU will include the 29 lots and acreage to the south and southeast of the current place of use. All other components of the right will remain unchanged and the overlapping surface water rights from springs will not be delivered through the new system or the new PPU.

The site is roughly 3 miles southwest of Horseshoe Bend on the south side of the Payette River.

Contact person for the applicant is Roxanne Brown at SPF. Application has 3 attachments. Attachment A is the partial decree for right 65-2614, attachment B is the ownership documentation/deed, and attachment C is the business entity information.

Summary of Information Submitted

Authority to File: Water right 65-2614 was decreed in the name of James and Steven Bruce. They have formed a LLC called Bruce and Bruce and have quit claim deeded the property from the individual names to the company name. The land that the transfer is requesting to include as part of the PPU is included in the deed.

Water Right Validity: Right presumed to be valid. Recent beneficial use confirmed via 2004 imagery in ArcMap.

Injury to Other Water Rights: None known

Enlargement of Use: None known. The right will maintain the combined use limit condition with overlapping rights to prevent enlargement. I spoke with Roxanne Brown to further address the concern of enlargement and she told me they expect for some if not all of the rights from the springs to “go away” due to the transfer limiting all three rights to a combined maximum of 34 irrigated acres.

Local Public Interest: This application will be advertised to determine local public interest concerns.

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.

Additional Information &/or Analysis

Watermaster comments needed.

Discussion

SRBA status: This right was decreed 6/26/2002

Overlapping rights at existing &/or proposed P/U: Rights 65-2366A and 65-3402 from springs overlap the existing POU. There are no overlapping water rights at the proposed POU. The rights from springs will not be tied into this system and are from a different source than the right being transferred, therefore, they will not be included in the transfer and will have no effect.

Note that the taxlot data is shifted in ArcMap. The layer seems to be shifted to the right by about 120' and up by roughly 70'.

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.