

MEMORANDUM

Date: July 31, 2007
To: Transfer 73144
From: dcarlson
Re: transfer evaluation

This transfer proposes to unstack a Groundwater right from some Medicine Lodge creek rights and combine the use with another set of Medicine Lodge Creek rights. The point of diversion will be moved also.

The overlap conditions for the old water Medicine Lodge rights will have to be changed upon approval of this transfer.

They are currently involved with transfer #73941.

Authority to File:

Applicant has a water right purchase agreement with the owner of record as far as the SRBA decree. Applicant owns the ground at the place of use and has a easement agreement for the point of diversion

Water Right Validity:

This water right was decreed in the SRBA in 2000. Air photos from 2006 show it to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA area and in Water District 110. The new well is within the same cell, no groundwater model analysis is needed. Watermaster will comment.

Transfer will be advertised to determine any protests.

Enlargement of Use:

This transfered groundwater right will have to be conditioned to prevent an enlargement of use when it is used with this new set of Medicine Lodge Creek rights.

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.