

M E M O R A N D U M

Date: July 30, 2008
To: Transfer 73946
From: dcarlson
Re: transfer evaluation

This transfer proposes to dry up acres and create ponds/marshes. Irrigated ground will be dried up. This will offset the pond fill and evaporation. 11 acres will be dried up X 2.19 af=24.1 af. Rob Harris, the applicants attorney reviewed the approval document and agreed with the 24.1 acre feet. The stream channel area will be reduced, less fill will be needed.

Authority to File:
Applicant is the owner of record as far as the SRBA decree.

Water Right Validity:
This water right was recommended in the SRBA in 2006. Forfeiture is not an issue.

Injury to Other Water Rights:
In Water District 01. Will request Watermaster comment.
Transfer will be advertised to determine any protests.

Enlargement of Use:
Irrigated acres will be taken out of production. These acres will compensate for the pond fill and evaporation. Mitigation plan is ok, only 11 acres being dried up. 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.