

MEMORANDUM

Date: July 9, 2008
To: Transfer 74908 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the recorded point of diversion and place of use for right 37-12611 to reflect the historical locations of diversion and use. The transfer is basically filed to correct a decree issued in the SRBA and results in no actual physical change to the historical use of the right. Note that there is no home site located in the tract where the domestic use and point of diversion are described on the decree. The actual property involved with the historical use and diversion is located approximately 5.75 miles north and 2.0 miles east of the Highway 26 and Highway 46 intersection at the south edge of Gooding and located within Water District 130. Since the transfer is proposing a paper change, and not an actual physical change, there should be no advertising required.

- **Authority to File:**
The applicant has provided various deeds (warranty and quitclaim) showing ownership of the right being transferred (corrected) and the land involved with the transfer. These include a quitclaim deed from the recorded current owner of the right according to IDWR records, and a quitclaim deed from the current owner of the land where the right was incorrectly decreed. The applicant has also provided a copy of a warranty deed showing that she owns the proposed (historical) POD and POU locations.
- **Water Right Validity:**
The right involved with the transfer has been decreed by the SRBA court.
- **Injury to Other Water Rights:**
None anticipated. No actual physical changes. At the very worst the proposed change in point of diversion is from one adjacent groundwater model cell to another.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Since the transfer is proposing a paper change, and not an actual physical change, there should be no advertising required.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses 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.