

MEMORANDUM

Date: April 29, 2008
To: Transfer 74757 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use of a Stockwater right totaling 0.07 cfs diverted from a spring. This right was decreed in the wrong quarter, quarters NE SE. The correct location of the POU is in the NENE located approximately 6.25-6.5 miles south and 14.0-14.15 miles west of Fairfield. The transfer is being filed to correct the POU. This was discovered during an ownership change and the deeds did not convey the decreed POU of this water right. There will be no change to the existing POD. No advertisement needed, no negative impacts anticipated proposed transfer is correcting the POU, no hydrologic change.

- **Authority to File:**
Applicant provided a Quit Claim document for water right 37-13030. Documentation from the Secretary of State web page shows applicant has authority to file. Jerry Caven filed the application under Half Moon. He is authorized under Royal Fork Restaurant Corp. and Half Moon is a subsidiary of Royal Fork Corp.
- **Water Right Validity:**
This water rights, 37-13030 was decreed in 2001. There is no apparent evidence of forfeiture.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No advertisement needed, no negative impacts anticipated proposed transfer is correcting the POU, no hydrologic change.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use 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.