

M E M O R A N D U M

Date: February 29, 2008
To: Transfer 74428
From: jharris
Re: Sufficiency Memo

Transfer 74428 proposes to change the place of use and point of diversion for a split of parent right 63-31215. It will create a permissible place of use limited to 3 acres within a 4.9 acre place of use to provide flexible irrigation for landscaping. This transfer was renumbered from transfer 73773 due to an error in the parent right being split twice, once for an ownership change and once for the transfer.

Authority to file: Applicant provided warranty deeds of the to and from place of use as well as a grant deed that shows the sale of the portion of the right being transferred. The applicant is not the owner of the place of use the Right is being transferred to but provided a release from the the current owners of the land authorizing the transfer.

Water Right Validity: Right is presumed to be valid, 2004 NAIP imagery shows land being pulled from as being irrigated.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: Three acres will be dried up at the current place of use. No enlargement anticipated.

Local Public Interest: No issues anticipated.

Beneficial Use: Irrigation

Review of the application finds there is no clear inconsistency with criteria of Idaho Code 42-222 preventing processing of the application.