

M E M O R A N D U M

Date: November 19, 2007
To: Transfer 73332
From: NARAVE
Re: Evaluation Comments

This transfer proposes to change the POD to the NESE of Sec 20 out of the Lemhi River. This will allow the flow from the springs to run to the Lemhi River for fish recovery. The purpose of this transfer is also to combine these three rights in a permissible place of use, and add transfer acres to new irrigated land which was not covered by drying up other land. The total acres irrigated under these three rights is reduced as a result of this transfer from 256.4 to 224.4 acres.

The final draft of this transfer is based upon revisions made by the applicant on 4-11-07

Authority to File:

The SRBA recommendations show Karl Tyler as the current owner, who is also Leadore Land Partners. Tax Notices indicate that this property is in the Leadore Land name.

Water Right Validity:

This water right was recommended in the SRBA in 2004. Air photos from 2006 show it to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

The watermaster from WD74 will have to regulate this change in source and POD. Watermaster will comment.

L-62 diversion from the Lemhi River is down stream from the Springs diversion about 2 miles. The L-62 diversion is proximal to the place of use. Less water maybe needed at the L-62 diversion due to the change in conveyance loss along the ditch.

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use. The amount of water diverted from the Lemhi River should be the same or less than what the Springs are providing.

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.