

MEMORANDUM

Date: November 12, 2007

To: Transfer 74265 File

From: Jeanie Robertson

Re: Evaluation of Sufficiency of Information Submitted

This transfer seeks to change the place of use for a surface water diversion from Clear Creek, 43-415B. The applicants have sold off most of their property and water rights but retained a portion of the west half of Section 4, basically excluding the location of the pivot along the western edge, and all of right 43-415B. It was decreed on part of the land being sold so they want to move it onto the part of the west half of Section 4 that they retained. The right was originally for 104 acres and will be limited to 104 within the larger place of use. The point of diversion is not changing. Approximate location of the place of use is 11 miles south of Malta on the east side of HWY 81. (Except for the fact that the area is with a Critical Groundwater Management Area, advertising may not be necessary?)

Authority to File:

IDWR Records show the water right in the name of the applicant, Arimo Corporation. Warranty Deeds have also been provided to show ownership of the place of use. The Secretary of States page shows Arimo as a valid entity with Chris Robinson as the President. A lien holder letter has been provided by the lender showing approval of this transfer.

Water Right Validity:

A partial decree was issued on 11/04/2002.

Injury to Other Water Rights:

The area is located within the Raft River Critical Groundwater Management Area, established in 1962, so measurement and/or reporting requirements should probably be instituted. At this time, however, there is no active water district. Clear Creek is also not a very reliable source of water in most years.

Enlargement of Use:

None anticipated, with proper measurement and/or reporting requirements when an active water district is formed.

Local Public Interest:

No negative impacts anticipated.

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.

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43-415B new PoU

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43-415B old PoU

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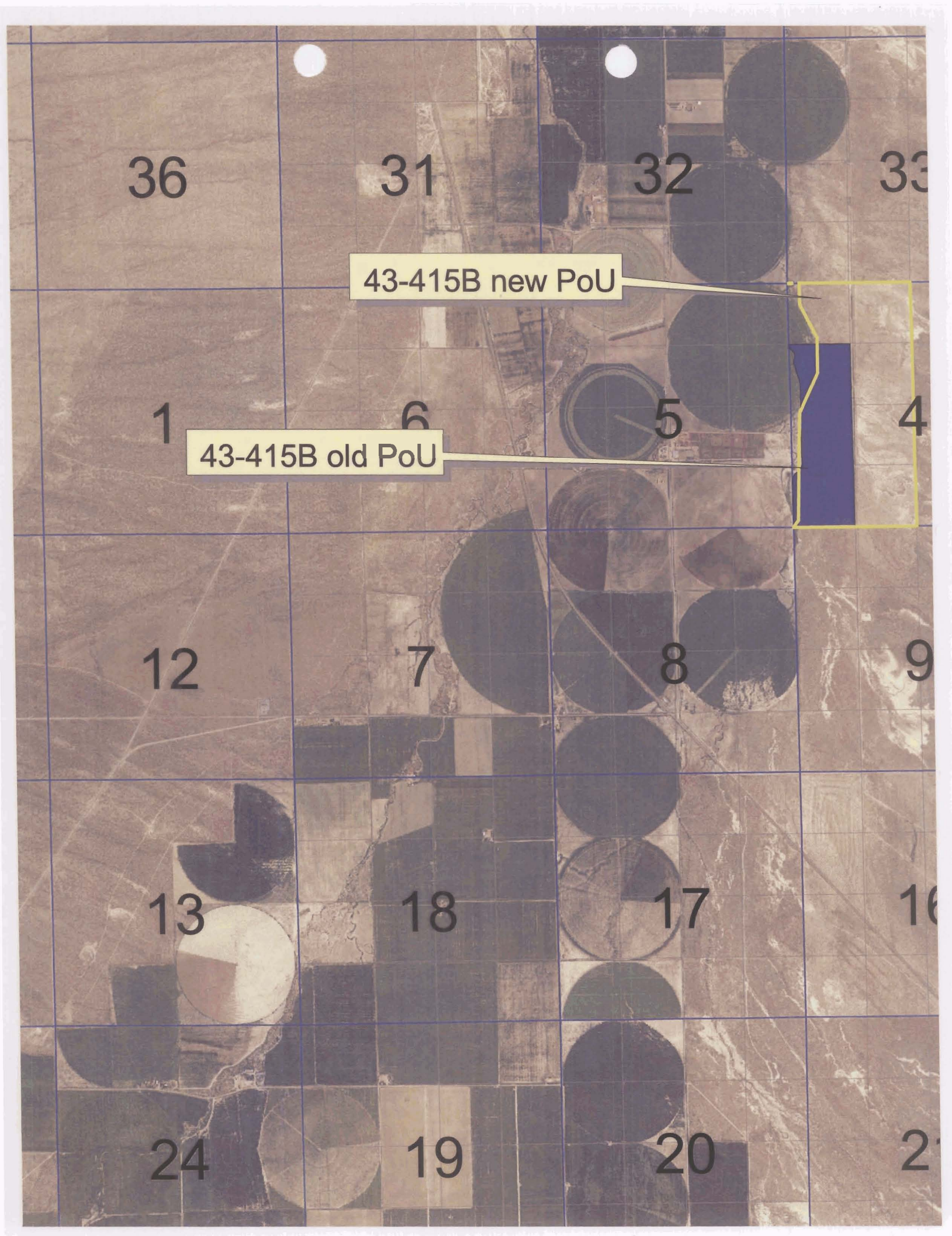
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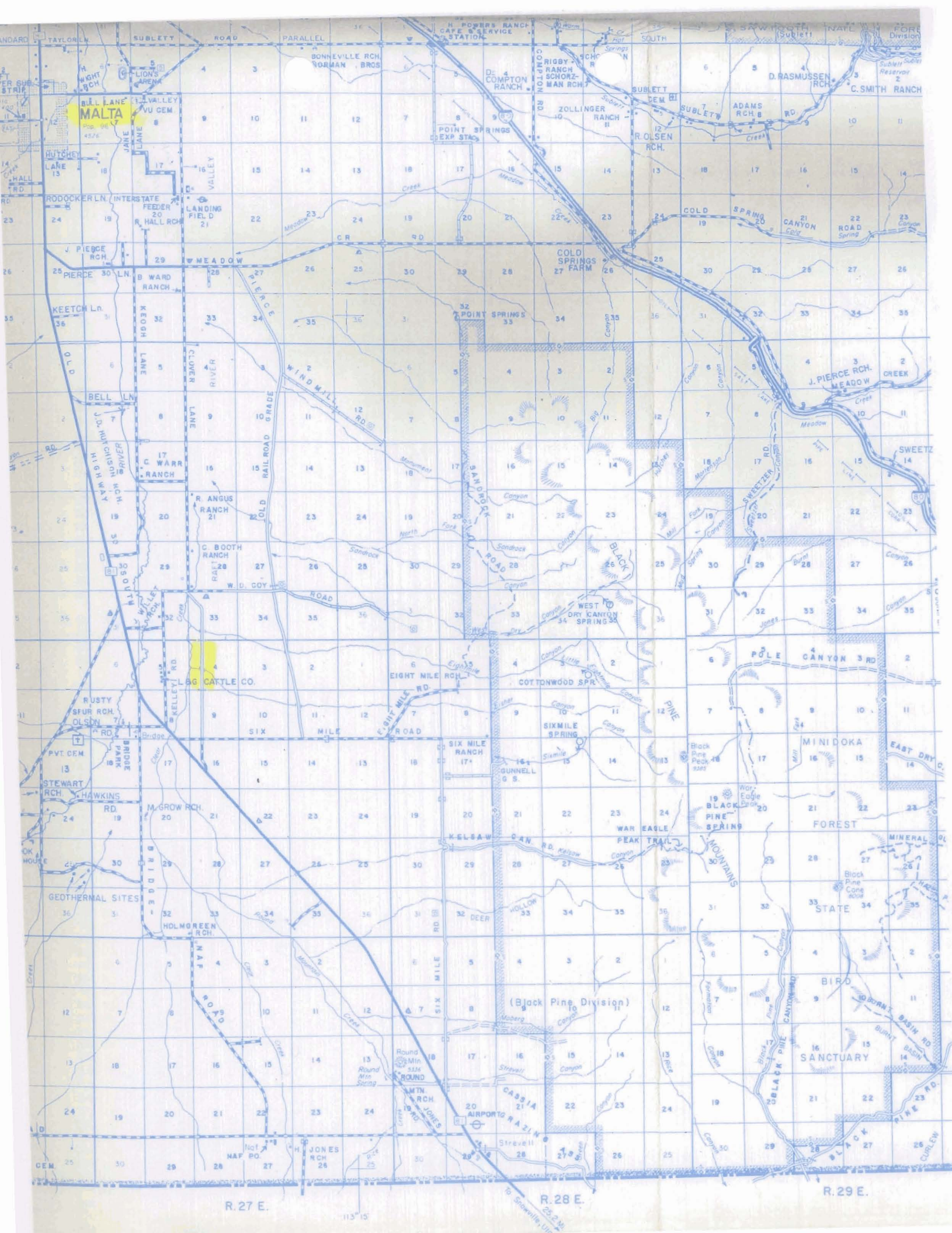
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