

MEMORANDUM

Date: October 18, 2006
To: Transfer 73162
From: dcarlson
Re: transfer evaluation

This transfer proposes to change the season of use from april 15 thru july 1 to june 1 thru august 31 as a part of a SRBA settlement agreement with the BIA and the Shoshone Bannock tribe. This later season of use has been the historical practice as per previous watermaster. The Adjudication would prefer that he completes the transfer process to make this change. The instream stockwater portion was recommended on 27-12010. It will be removed from this SRBA recommendation.

Authority to File:
Applicant is the owner of record as far as SRBA claim and recommendation.

Water Right Validity:
This water right was recommended in the SRBA in 2005. Forfeiture is not an issue.

Injury to Other Water Rights:
This later season of use is the historical practice as per old watermaster.
Watermaster will comment.
Transfer will be advertised to determine any protests.

Enlargement of Use:
There is no evidence of enlargement of use.
This right will be limited to the use of 46 day/year by diversion volume.
 $46 \text{ days} \times 4.08 \text{ cfs} \times 1.9835 = 372 \text{ af/a}$

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.