

MEMORANDUM

TO: Transfer No. 73935

FROM: Sharla

DATE: July 24, 2007

RE: Evaluation of Sufficiency of Information Submitted

This transfer application was filed in 2005, just a few months after the SRBA claim 3-4012A was split into 3-10203 and 3-10204. The point of diversion decreed for 3-10204 was the same point of diversion under 3-10205. As indicated by the applicant under item 2 of the transfer, each owner now has their own pump; therefore, the transfer is for a change in the point of diversion, even though the 10-acre legal description is the same as decreed.

Summary of Information Submitted

Authority to File: Applicant is the owner of record for this right. The application was signed by Sid Roberts, the Secretary/Treasurer for Roberts Farms Inc. as confirmed by the Secretary of State's records (copy included in file).

Water Right Validity: Right presumed to be valid because the partial decree was just issued on 7/9/07.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement of use is proposed. The rate of diversion and acres have been corrected to match the SRBA recommendation and subsequent decree that has just been issued. These changes do not require amendment of the transfer application or applicant approval.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicants propose beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Assuming no other information contradicts the above analysis, and assuming it is determined the application should be approved, the conditions of approval listed on the draft transfer approval should be applied.