

MEMORANDUM

Date: July 09, 2007
To: Transfer 73683
From: dcarlson
Re: transfer evaluation

This transfer proposes to change the point of diversion on a Pahsimeroi River water rights to a down stream pod, change the point of diversion and source on two Duck Spring/Patterson Creek water to the same down stream water right and change the point of diversion on a Mud Springs Creek/Pahsimeroi to the same. Duck spring, Mud Springs Creek and Patterson Creek will be allowed to flow into the Pahsimeroi river.

The place of use will also be changed for all four rights.

Based on the original recommendations only 18 acres total can be irrigated by these portions of the original rights. The ADJ splits remarks are in error.

Authority to File:

Applicants are the owner of record as far as the SRBA recommendations..

Water Right Validity:

This water right was recommended in the SRBA in 2006. Forfeiture is not an issue.

Injury to Other Water Rights:

The same amount of water will be diverted at this new point of diversion as what was available at the old points of diversion.

Water District 73. Watermaster will comment.

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use. No additional water can be diverted at this new pod than what was diverted at the old point of diversion.

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.