

## MEMORANDUM

**Date:** August 11, 2006  
**To:** Transfer 72498  
**From:** kwilson  
**Re:** Evaluation

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This transfer proposes to change the point of diversion to the head gate of the Portneuf Marsh Valley Canal to accommodate the installation of a pressurized irrigation system.

### Authority to File:

The applicant is the current owner of record in the Department of Water Resource database. The application for transfer was submitted and signed by the president of the Cutler Ditch Co. Enclosed is a notarized letter from the Portneuf Marsh Valley Canal Co. allowing the use of the canal for delivery of the water.

### Water Right Validity:

The water rights involved in this transfer were decreed in the Snake River Basin Adjudication with a decree date of 09/10/2004. Forfeiture does not appear to be an issue.

### Injury to Other Water Rights:

No one diverts from the Portneuf River between the applicants point of diversion and the new proposed point of diversion.

### Enlargement of Use:

No additional acres will be irrigated and the diversion rate will not exceed the water rights involved in the transfer. Enlargement does not appear to be an issue.

### Local Public Interest:

No issues identified.

### Beneficial use Conservation of Water Resources:

No issues identified.

Review of the application finds no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of the application.

### Other Issues:

No issues identified.