

MEMORANDUM

TO: Transfer No. 72235

FROM: Sharla Curtis

DATE: September 20, 2005

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change the legal description of one of the points of diversion listed in Rights 61-7253B and 61-7420. When transfer 68504 was filed, the new well that was to be drilled at that time was shown on the map as being within the NWSW, Sec. 14. The front page of the transfer application, however, was erroneously listed as the NESW. This new transfer application, therefore, has been filed to correct the point of diversion legal description as intended in the previous transfer. This application should not require advertising for this correction.

The site is approximately six (6) miles south of I-84 on Simco Road.

Summary of Information Submitted

Authority to File: Applicant is current right holder of record and is therefore authorized to file this transfer.

Water Right Validity: Rights presumed to be valid. Decrees were issued in May, 2000, barely five years ago. 2004 aerial photography confirms irrigation of the lands in question.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement will occur; this transfer only proposes changing the legal description of one well.

Local Public Interest: No protests were received for the previous transfer filing; assumed to be in the local public interest.

Beneficial Use/Conservation of Water Resources: This transfer proposes 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.

Additional Information &/or Analysis

As explained in John Westra's memo dated 7/6/05, the error in the point of diversion description on the previous transfer was caught by the well driller when he went to drill the new well. This appears to be a transfer that can be processed without advertising.

Discussion

Data entry affected the correct WR records; partial decrees were correctly migrated to wr records.

Summary

John Westra indicated in his memo of 7/6/05 that a drilling permit has been approved by the regional office, but I couldn't find the record in the computer. Therefore, condition 046 will be included on the transfer approval, just to cover all bases.

Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the transfer should contain all of the conditions shown on the draft approval.