

MEMORANDUM

Date: August 03, 2005
To: Transfer 71998
From: dcarlson
Re: transfer evaluation

This transfer proposes to use an existing well to provide Irrigation for this POU.
This right is a split of 33-2050 by ownership. 33-2050 was decreed to 232 acre and was limited to 232 acres.
The extra acre that was decreed to 33-2102 was for irrigating a county road on one of the other splits and was a mistake. But it is totally unrelated to this pou and will be corrected by transfer 71770.
New well for this ground comes from 33-7062. 33-2102 presently has remarks that connect to 33-2050, after this split the connection is no longer valid and remarks would be no longer needed to limit the water rights.
Each split of 33-2050 will have its own limit that prevent any enlargement and they can stand alone.

Authority to File:
Applicant provided deeds to show they purchased this part of 33-2050.

Water Right Validity:
This water right was decree in the SRBA in 2000 and photos show it irrigated in 2001.
Forfeiture is not an issue.

Injury to Other Water Rights:
Inside the ESPA no cell change not in any measurement or water district.
Transfer will be advertised to determine any protests.

Enlargement of Use:
There is no evidence of enlargement of use.

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.