

# MEMORANDUM

**Date:** July 19, 2005  
**To:** Transfer 72127 File  
**From:** Corey Skinner  
**Re:** Evaluation of Sufficiency of Information Submitted

---

Transfer application filed to change the point of diversion for three water rights currently diverted from Morgan Creek and used to irrigate land along the east side of Highway 93 approximately 7.7 miles north and 3.0 miles east of Challis. The application proposes moving an authorized point of diversion from Morgan Creek approximately 0.5 mile downstream in order to eliminate fish barriers. The new point of diversion from Morgan Creek is the same point of diversion proposed by transfer # 72021. Essentially the two applications propose eliminating two Morgan Creek diversions and replacing the two diversions with a single diversion. Note that transfer 72127 only proposes diverting a total of 5.0 cfs (all of rights 72-147, 72-148, and 3.0 cfs of 72-4177) from the new point of diversion on Morgan Creek. The filing fee for the transfer was based on 5.0 cfs being transferred.

- **Authority to File:**  
IDWR records show the applicants are the current owners of the rights involved with the transfer.
- **Water Right Validity:**  
The rights involved in the transfer have all been decreed in the SRBA.
- **Injury to Other Water Rights:**  
None anticipated. Proposed point of diversion change results in the point of diversion moving downstream.
- **Enlargement of Use:**  
None anticipated.
- **Local Public Interest:**  
No negative impacts anticipated. Application filed to help make diversions more fish friendly.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.

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