

MEMORANDUM

Date: March 28, 2005
To: Transfer 71863 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to transfer the place of use of right 43-4132, used for stock water and irrigation of 13.2 acres, from land located approximately 7.6 miles south and 9.5 miles west of Malta to land located approximately 7.8 miles south and 9.3 miles west of Malta. The existing point of diversion from Black Sand Hollow Creek, located approximately 7.95 miles south and 8.85 miles west of Malta will continue to divert 0.77 cfs of water for stock water and irrigation of 13.2 acres at the new place of use. The change in place of use appears to be an effort to resolve issues with the BLM regarding irrigating federal land.

- **Authority to File:**
IDWR records show the applicants as the current owners of the right involved with the transfer. Application also includes a copy of a deed showing ownership of the new place of use. The BLM has entered into a stipulated agreement (signed 3/3/03) with the applicant agreeing to allow the water right to be transferred off of BLM ground.
- **Water Right Validity:**
The base right for the transfer is an SRBA decreed right.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated.
- **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.