

MEMORANDUM

Date: March 03, 2005
To: Transfer 71644
From: rwarner
Re: Transfer Comments

This transfer proposes to change the point of diversion from P-11 to P-12 in fulfillment of the Irrigation Systems Agreement between the applicant and the Custer Soil Water Conservation District. No other changes were proposed.

Authority to File:

Applicant is the owner of the water rights. Applicant supplemented the record by sending the minutes of third trustee meeting of which spells out the authority of the Trust Manager who made application.

Water Right Validity:

Water right has been favorably recommended in the SRBA

Injury to Other Water Rights:

Basin 73. Comments will be solicited from this entity and the transfer will be advertised.

Enlargement of Use:

5 acres listed in application and claim in SESE of Section 34. No irrigated property was located in this area from this water right and would result in an isolated area of irrigation. It is likely that this 5 acres was mislocated and should be included in areas of the SWSW of Section 35 of T15N, R21E. B.M as was shown on the map included with the application. The applicant faxed an initialed amended copy of the first page of the transfer application making the change to the SWSW location.

Local Public Interest:

No issues are identified

Beneficial Use / Conservation of Water Resources:

Transfer will provide for waters to irrigated lands in a manner consistent with state laws.

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.