

MEMORANDUM

Date: March 29, 2004
To: Transfer 71098
From: dcarlson
Re: transfer evaluation

This transfer proposes to combine the use of two wells into one POU and add 6 acres to this larger POU. They will use the existing wells. 35-7095E is a redundant water right that doesn't have any value. could be eliminated

Authority to File:
Applicant provided deeds, and is the owner of record as far as SRBA decree.

Water Right Validity:
This water right was decreed in the SRBA in 2001. Forfeiture is not an issue.

Injury to Other Water Rights:
Inside the ESPA area and a part of WD 120. Watermaster will give comments. The 6 acre move from cell 22, 45 to cell 20, 45 shows a change greater than 5% in the one reach that has a negative impact- Shelley to Neeley. Reducing the total diversion from 24 AF to 14 AF in 2004 will reduce the impacts to below 5%. Barry Christensen provided a statement accepting the conditions and reduction of 10 AF in 2004. 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.