

MEMORANDUM

Date: March 31, 2004
To: Transfer 71043
From: scox
Re: Evaluation

This transfer proposes to change the POD / POU for 5 acre parcel. New owner plans on drilling a new well at the new place of use.

Authority to File:

Applicant provided deeds to show change of ownership from Bartholoma to Superior L & L LLC. There is a sale agreement from Superior L & L to Hensens. Hensen will be the new owner if transfer is approved.

Water Right Validity:

This water right was decree in the SRBA in 2002. Forfeiture is not an issue.

Injury to Other Water Rights:

Within the ESPA area. the cell changes from 16/39 to 16/41. The model shows greater than 5% depletions in the Shelley to Neeley reach. Reducing the diversion volume to 15 afa for the years 2004 through 2006 gets the depletions below 5% based on the actual results of the transfer spreadsheet. Inputs are 20 afa or 6.67 af/trimester.

Carl Hensen/Tina Hensen signed an agreement to this mitigation plan.

Transfer will be advertised to determine any protests. Watermaster oked this transfer.

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.

SCANNED

APR 01 2004