

## MEMORANDUM

**Date:** December 18, 2003  
**To:** Transfer 70720  
**From:** rwarner  
**Re:** Transfer Comments

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This transfer proposes to change the nature of use from irrigation to wildlife pond. Applicant indicates that the previous lands cultivated crops of grass hay but that the proposed development would include a wildlife pond as a part of the Edson Fichter Nature Area. Applicant indicates that the water will be pumped from the Portneuf River into the pond where it will exit the pond through a meandering stream returning to the Portneuf River. The point of diversion will remain the same.

**Authority to File:**

Applicant provided a copy of the warranty deed used for acquisition of the property. Applicants recent adjudication file was reviewed and found to contain the appropriate documentation to reflect sole ownership of the property.

**Water Right Validity:**

The water rights involved have been recently been recommended in a Directors Report in the SRBA.

**Injury to Other Water Rights:**

Basin 29. Within the Snake River Moratorium area and SRBA. Also within water district 01. 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.

SCANNED  
DEC 19 2003