

MEMORANDUM

Date: December 23, 2003
To: Transfer 70891
From: rwarner
Re: transfer comments

This transfer proposes to change the point of diversion of an existing well. By changing the point of diversion, the well will be located upon the acreage that it is appurtenant thus reducing transmission losses. Acreage is also served by surface water rights when available from the Big Lost River water right numbers 34-386F and 34-387F. The proposed transfer of water right 34-2406G was also involved in a previously approved transfer, 70082.

Authority to File:

Applicant provided a warranty deed and is the owner of record on IDWRs data base.

Water Right Validity:

The water right involved was decreed in the SRBA. Forfeiture is not an issue.

Injury to Other Water Rights:

Basin 34. Within the Snake River Moratorium area and SRBA. Also within water district 34 and the Big Lost River Irrigation District.

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use. Water right 34-2406G, prior to this transfer, had a combined limited use condition for four rights for the amount of 2.69 cfs. In order to separate this right from the other three rights that it was associated with, it was necessary to calculate a proportionate share of the combined use limit. The result was a forfeiture of 0.04 cfs from water right 34-2406G or a transfer total of 0.29 cfs. A condition of the transfer was added to reflect the slight reduction in diversion rate.

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.