

MEMORANDUM

Revised

Date: December 18, 2003
To: Transfer 70791
From: rwarner
Re: evaluation

This transfer proposes to change the point of diversion to enable the system to be more efficient. Lands involved in transfer have been irrigated in the past from two separate pumps. Applicant wishes to consolidate into one pump thus minimizing his pumping costs.

Authority to File:

Applicant provided tax notices and is the owner of record as far as SRBA decree.

Water Right Validity:

This water right was claimed in the SRBA in 1988. It was previously decreed in the Rexburg decree. The point of diversion was moved from the source of Fall River to the Henrys Fork by transfer 973 in 1961. The water right appears to be valid.

Injury to Other Water Rights:

It is within the ESPA but has been used consistently over the years. The Water District 1 water master has approved the proposed change. Applicant also owns 290 shares of Palisades storage water. 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.