

MEMORANDUM

Date: April 17, 2003
To: Transfer 70109 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

This transfer is part of three interrelated transfers (#70090, #70109, and #70110) that were submitted by Brockway Engineering in the name of Harry Rinker and need to be processed together as a package. The transfers involve properties located within the Big Wood River drainage, between Hailey and Ketchum. Transfer 70090 proposes transferring a 0.02 cfs (1.0 acre) portion of water right 37-30030 from land in Timberview Terrace Subdivision to a lot located in Golden Eagle #2 Subdivision. Transfer 70090 proposes no change in point of diversion, only a change in the place of use of the portion of the right being transferred. Transfer 70109 proposes transferring a 0.13 cfs (8.8 acre) portion of right 37-30030 to property located further down the Big Wood River Valley. Transfer 70109 will result in a change in the place of use and a change in the point of diversion. Transfer 70110 proposed transferring portions of a groundwater right to Timberview Terrace Subdivision. However, there were outstanding ownership, and possible expansion, issues with this transfer, which resulted in Transfer 70110 being withdrawn (see request for withdrawal document in transfer file).

Because Transfer 70110 has been withdrawn, approval documents were only drafted for Transfers 70090 and 70109. Since the transfers both involve the same base right (sequential transfers), Transfer 70090 should be approved first, and then followed by Transfer 70109. The approval documents were drafted to reflect this order of events, with the untransferred portion of right 37-30030 from Transfer 70090 being split by Transfer 70109. The remaining, portion of right 37-30030 after the two transfers is reflected after Transfer 70109 in the untransferred portion of the right.

- **Authority to File:** Applicant provided tax notices and deeds verifying ownership of property where right is currently appurtenant.
- **Water Right Validity:** Rights involved with the transfer are still pending in the SRBA and were created by transfer 5423 (approved 11/19/1999). Forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:** Change in point of diversion is a change down the river, which should help river flows. Water to be used for original use (irrigation) in same general area.
- **Enlargement of Use:** None apparent, same number of total acres will be irrigated and same diversion amounts will exist after the transfer.
- **Local Public Interest:** Transfer was advertised with no protests received.
- **Beneficial Use/Conservation of Water Resources:** No change from historical use.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Saved on 4/01/2