

ADMINISTRATOR'S MEMORANDUM

To: Water Management Division TRANSFERS MEMO #12  
From: Norman C. Young *bcj* ADJUDICATION MEMO #20  
RE: TRANSFERS BASED ON ADJUDICATION CLAIMS  
Date: April 17, 1989

During the Regional manager's meeting held on February 16 and 17, 1989 in Boise, a lengthy discussion ensued relative to identification numbers assigned to Snake River adjudication claims based on prior decreed or licensed rights or portions thereof.

As a practical matter, it might not be possible to identify the specific portion of a decreed or licensed right being claimed during the short time available while taking a claim, but the claim should reference the "core" number of the original right as should the adjudication data base. The purpose of the references to the original right is for analysis purposes prior to submitting a director's report to the court by determining whether the parts of an original right claimed exceed the whole or whether certain parts of the original right have not been claimed.

The letter designation indicating the specific part of the original right claimed can be determined during the review of the claims in preparation of the Director's report or when a transfer is filed on a claim, whichever occurs first.

Some adjudication claims which are filed will claim the right or portion thereof in a manner different from the licensed or decreed right of record inferring that an unrecorded transfer has occurred in the past. A transfer does not need to be filed to submit the adjudication claim in this manner, since Section 42-1416A, Idaho Code, has been enacted.

If, however, a transfer is filed on an adjudication claim which represents an unrecorded transfer, evidence of title to the original right or portion thereof claimed must be shown by the applicant before the transfer can be processed. In addition, the core water right number shown on the adjudication claim (either as the identification number or in remarks) must be further identified with an alpha suffix character if the unrecorded

transfer represents a division of an earlier recorded part of the original right. This is particularly important when a number which does not include the core number of the original licensed or decreed right has been assigned to an adjudication claim.

This identification process is necessary to prevent the state office from having to create and maintain additional files based on an assigned adjudication number which does not relate to the original right.

In no case should a transfer, as described above, be advertised showing an identification number which is not related to the original number assigned to the right.