

MEMORANDUM

Transfer Processing No. 14

To: Regional Offices and Water Allocation Bureau
From: Norman C. Young *NCY*
RE: TRANSFER APPROVALS
Date: JANUARY 31, 1991

A regional office recently posed the question of whether the department approval of applications for transfer might preclude the opportunity for consideration of the validity of the water rights in the ongoing Snake River Basin Adjudication primarily under the legal principle of "res judicata".

In order to minimize the opportunity that users of this legal principle or similar principle can preclude the review of water rights for which transfers have recently been approved, the department will include the following condition among the usual conditions of approval on transfers in the Snake River drainage:

"Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication".