

MEMORANDUM

Date: April 12, 2016
To: Transfer 80744
From: Kerrie Mathews
Re: Transfer Evaluation

Transfer No. 80744 proposes to add a point of diversion and change the existing point of diversion for water right 35-7148. The proposed points of diversion are in the NWSE and NESW of Sec 36 T3S R33E. The place of use remains the same. The added point of diversion is an existing well authorized under water rights 35-8741A and 35-7113A. The "change" in point of diversion is simply changing the 10-acre tract designation to a 40-acre tract designation for the well in the NWSE of Sec 36.

Authority to file:

The water right and place of use are in the applicants name. The added well location is not. The applicant was contacted to obtain permission to use the new point of diversion. A signed statement from the property owner was submitted allowing the applicant to use the well.

Validity of the Water Right:

Water rights 35-7148 was decreed on January 31, 2002. Aerial photography shows consistent irrigation. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury to other water rights was identified. An ESPA analysis was not required. Existing POD and added POD are located in adjacent model cells. The application was advertised, no protests were received. The water master for WD120 was notified of the transfer and did not oppose the transfer.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issues 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 transfer application.