

MEMORANDUM

Date: October 3, 2013
To: Transfer 78788
From: Scott Bergendorf
Re: Comment/Analysis

Comment/Analysis
10/3/2013

This transfer proposes to change the point of diversion and to rearrange the place of use for water right 25-14339. The applicant seeks to change the point of diversion to a well that was drilled as a result of an ownership change (25-2127) that was approved in 2011. At the time the drilling permit was issued, it was thought that a water right transfer was unnecessary because the new well would be drilled in the same legal description recorded under the original water right. This assertion is incorrect. Thus, the applicants seek to change the point of diversion to the new well.

The place of use will be rearranged to reflect the change of flood irrigation to sprinkler irrigation. Proposed place of use will remain in the NESE of 04N, 38E, Section 9.

Authority to File:

The applicants are the current owners of the water rights per IDWR records and owners of the proposed place of use by tax lot information.

Water Right Validity:

Water right was decreed in 2005. 2011 aerial photography shows the land being irrigated. Forfeiture is not an issue.

Injury to other water rights:

The proposed POD is located approximately 100 feet from the current POD. Water Master does not oppose transfer. The points of diversion are in the same ESPA model cell. No ESPA analysis is required. This transfer will be processed with no advertisement.

Enlargement of Use:

No issues identified.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

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.