

MEMORANDUM

Date: April 3, 2012
To: Transfer 77785
From: kmathews
Re: Transfer Evaluation

Transfer No. 77785 for water right nos. 33-84, 33-85, 33-90E, 33-2065, 33-2066A, 33-2066B, 33-7015, 33-7202, 33-10998 and 33-10070 proposes to rearrange the place of use for the rights to reflect current irrigation practices. The rights are already combined in a single place of use. The place of use adjustment will also cover 18 acres which were recently identified as being irrigated outside of the existing place of use.

During a review of Basin 33 the Department discovered irrigation occurring outside of the specified place of use. A letter was mailed asking the water right owner to contact the office to address the potential violation. This transfer application adjusts the place of use to cover the acres currently being irrigated.

Originally, this application proposed updating the place of use and splitting off a portion of water right 33-7202 to move to another location. It was determined that in order to avoid confusion this split would occur in a future transfer after the place of use was corrected.

Authority to file:

The water rights are currently in the applicants name and the current and proposed places of use are entirely within property owned by the applicant

Validity of the Water Right:

Water right no. 33-84, 33-85, 33-7015, 33-7202, 33-10998 and 33-10070 were decreed in 2002. Water right no. 33-90E, 33-2065, 33-2066A and 33-2066B were decreed in 2000. The water rights have been used to irrigate at least 1122 acres on the property. Forfeiture is not an issue.

Injury to Other Water Rights:

No injury to other water rights was identified.

Enlargement of Use:

No issues identified.

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.