

MEMORANDUM

Date: April 20, 2012
To: Transfer 77831
From: kmathews
Re: Transfer Evaluation

Transfer No. 77831 for water rights 33-51, 33-52, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-100995, 33-100996, 33-2101A and 33-2101B proposes to adjust the combined place of use for the rights to cover 18 acres which were 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 combined place of use. A letter was mailed asking the water right owner to contact the office to correct this issue. This transfer application addresses the potential violation identified by the Department.

Authority to file:

The water rights are currently in the applicants name and the place of use is within property owned by the applicant

Validity of the Water Right:

These water rights were decreed on May 4, 2004. The water rights have been used to irrigate at least 862.3 acres each year since that time. Forfeiture is not an issue. Watermaster for WD33 was notified of the transfer and did not provide comment. No change to PODs. Only a minor adjustment to places of use. No hydrologic impact anticipated. Therefore, transfer was processed as a non-advertised transfer.

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.