

MEMORANDUM

Date: March 22, 2012
To: Transfer 77736
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the place of use for water rights 25-57A, 25-57B, 25-59, 25-136B, 25-137B, 25-7494C, 25-7567 and 25-7592. The applicant is seeking more flexibility in their farming operation by creating a 3591.7 acre permissible place of use. These water rights will be limited to the irrigation of 2457.1 acres within the 3591.7 acre permissible place of use. The points of diversion will remain the same. The source of water under these rights is a combination of groundwater and Willow Creek.

Authority to File:

The applicant is the current owner of water rights per IDWR record. The applicant owns the majority of the proposed permissible place of use per taxlot data. Part of the permissible place of use overlaps onto Bureau of Reclamation and private land owned property. The applicant has provided documents authorizing them to use said property. Luke Marchant who is the applicants attorney signed the application.

Validity:

Decreed and licensed water rights. 2011 aerial photography shows land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Willow Creek water rights are regulated by WD 01. Groundwater rights are not regulated by a water district. Points of diversion are remaining the same. Watermaster does not oppose transfer. This transfer was advertised and there were no protests. No injury issues identified.

Enlargement of Use:

No enlargement 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 the criteria set forth in Section 42-222, Idaho Code.