

MEMORANDUM

Date: October 24, 2011
To: Transfer 77526
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion and place of use for Water rights 35-7490, 35-2599, 35-2685, 35-7488, 35-7489 and 35-13046. The applicant is seeking to create a 1550.5 acre PPU to authorize more flexible use of their water rights on their property. The total number of acres authorized for irrigation within the PPU is 1238.6. The applicants are also seeking to abandon the well in the NESW of 03S, 32E, Section 30 and drill a new well in the NENENW of 03S, 32E, Section 31.

The current season of use for water rights 35-2685 and 35-2599 is 04/01-11/01. According to the applicants application, the season of use for these water rights will change to 04/01-10/31.

Transfer 77524 was filed in conjunction with this transfer, which proposed to move 62.0 acres from water right 35-7490 to a separate parcel of land not owned by Grandview Ranch LLC. The approval of transfer 77524 will result in the 1300.6 acres under the combined place of use for rights 35-2599, 35-2685, 35-7488, 35-7489, 35-7490 and 35-13046 to be reduced to 1238.6 acres.

To process transfers 77524 and 77526 simultaneously, water right 35-7490 had to be pre-split into two water rights and assigned to one of the transfers. Water right 35-7490 was split into 35-14180 (transfer 77524) and 35-14181 (transfer 77526).

Authority to File:

The applicant is the current owner of water rights per IDWR record and proposed PPU per Bingham County taxlot data (updated in May, 2011).

Validity:

Rights 35-7489 and 35-7488 were licensed in 1993. Rights 35-7490, 35-2599, 35-2685, and 35-13046A were decreed in 2002. Water rights 35-13046 and 35-7490 are enrolled in CREP. This transfer does not remove water rights from the land enrolled in CREP. In 2006, transfer 72696 which involved water rights 35-7490, 35-2599, 35-2685, 35-7488, 35-7489 and 35-13046 was filed and later in 2007 was approved. The agent reviewing the transfer indicated that land was irrigated in 2006 and forfeiture was not an issue. Because the land was irrigated in 2006, forfeiture is not an issue for this transfer.

Injury to Other Water Rights:

Inside the ESPA and within WD120. Points of diversion are within the same or adjacent model grid cells. No ESPA analysis required. No mitigation required.

The transfer was advertised and there are no protests. Watermaster does not oppose transfer.

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 application.