

MEMORANDUM

Date: June 21, 2011
To: Transfer 77255
From: dkidman
Re: Transfer Approval

This transfer proposes to rearrange the POU for water rights 33-14900, 33-14905 and 33-14907. The rearrangement would consist of transferring a corner from T06N R29E SEC 21 NENENW to the NWNWNW. In a previous transfer (77116), the NWNWNW corner was moved to cover a corner located in T06N R29E SEC 21 SWNESW that was recently purchased by the applicant. After T77116 was approved, the applicant called the Department to inquire about returning a portion of the POU to cover the well location which is in the NWNWNW corner. The applicant stated that due to the delivery system, it would be easier to irrigate closer to the well location than the NENENW corner. The applicant decided to file T77255 to switch the corners.

Multiple transfers were filed for water rights 33-2051A, 33-7037 and 33-2042 at the same time and the water right numbers were changed due to splits. In T77011, water right 33-2042 was split into 33-14899 (Romrell) and 33-14900 (Callister). In transfer 77116, water right 33-2051A was split into 33-14905 (Callister) and 33-14906 (Romrell) and water right 33-7037 was split into 33-14907 (Callister) and 33-14908 (Romrell). Transfer 77255 was filed prior to approval of T77116 so the parent water rights were used instead of the children. At approval stage, the correct water rights were entered into the transfer.

Since T77255 was filed prior to the approval of T77116, the application POU is different than the approval POU. On the application, the POU shows 39 acres in SWNW but was approved for only 34.7 acres. Transfer 77116 transferred the ownership of 4.3 acres in the corner located in T06N R29E SEC 21 SWSWNW from Callister to Romrell which resulted in the discrepancy.

Authority to File:

The applicant has provided warranty deeds as evidence of ownership. The Departments record shows the applicant as the owner of the water rights.

Water Right Validity:

All rights involved in this transfer were decreed in the SRBA on 8/11/2000. After reviewing the 1992, 2004, 2006 and 2009 aerial photography, forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Injury to other water rights does not appear to be an issue.

Enlargement of Use:

Combined limits for each water right has been included or remains to prevent enlargement of use. No issue identified.

Local Public Interest:

No issue identified.

Beneficial Use/Conservation of Water Resources:

No issue identified.

M E M O R A N D U M

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.

These water rights are within Water District 33.

The application has been advertised in the Arco Advertiser. No protests were filed.