

MEMORANDUM

Date: May 31, 2011
To: Transfer 77186
From: dkidman
Re: Transfer Approval

This transfer proposes to add a POD to water right 34-7239A. A new well will be drilled in T07N R24E Sec 28 NENE to help supplement the well in Sec 21 NESW. One well, T07N R24E Sec 21 NESW, will pump directly into the Sharp ditch and comeingle with the surface water (34-440B). The new well will be located at the re-diversion point and pump into the same mainline and then to the center pivots and hand lines.

Authority to File:

The applicant is the owner of the land and is the recorded water right owner. Warranty deeds were provided with the application and were confirmed with Custer County. The applicant sold two parcels located in T07N R24E Sec 21 SWSE to Wayne Baumgardner and Patrick Powers. A change of ownership needs to be done but should not delay this transfer.

Water Right Validity:

The right involved in this transfer was licensed on March 1, 2011. Reviewing 2004, 2006 and 2009 aerial photography was used to determine if forfeiture occurred. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

The PODs involved in this transfer do lie within the ESPA. The existing well is located in Row 2 Column 107 and the proposed well will be located in Row 8 Column 108. The ESPA Model is not required since the wells are in adjacent cells. The watermaster of WD 34 does not oppose the transfer as long as the surface water cannot be used for storage while ground water is being used.

Enlargement of Use:

The water right involved in this transfer is supplemental to surface water right (34-440B). There does not appear to be any enlargement of use at this time.

Local Public Interest:

No issue identified.

Beneficial Use/Conservation of Water Resources:

No issue identified.

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.

The application has been advertised in the Challis Messenger and no protested were filed.