

MEMORANDUM

Date: May 25, 2011
To: Transfer 77137
From: dkidman
Re: Transfer Approval

This transfer proposes to add two PODs, T04N R37E SEC 2 SENWSE and T04N R37E SEC 11 NENENW, to Long Island Irrigation Co. water right 1-114C. The added diversion points will allow Dee Stoker to pump directly from Dry Bed and will be limited to 3.5 cfs. Two pivots will be installed in T04N R37E SEC 2 SW that will be run by the pump located Section 2. The POD in Section 11 will be used to flood irrigate approximately 22 acres in Section 11 NENW.

Mr. Stoker is a shareholder in the Long Island Irrigation Co. and uses his shares, in combination with Palisades Water Users shares, to irrigated the place of use. Long Island Irrigation Co. and Mr. Stoker signed an agreement prior to submitting the application. Mr. Stoker agreed that he would only use one pump at a time. Mr. Stoker assigned 500 acre feet of storage space in Palisades Reservoir to the main diversion of Long Island Irrigation Company in exchange for the PODs in Dry Bed. The parties will review the agreement in three years.

Authority to File:

The applicant is the owner of water right 1-114C on the IDWR data base.

Water Right Validity:

This right was involved in the SRBA and was partially decreed on November 7, 2007. Aerial photography from 2004, 2006 and 2009 were used to determine if there was forfeiture. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

This proposed transfer lies within Water District 01. The watermaster does not oppose the transfer as long as both pumps have working flow meters and check valves installed and maintained.

Enlargement of Use:

No enlargement was found since the POU and total acres irrigated under 1-114C will not be increased. No additional acres will be irrigated after the transfer.

Local Public Interest:

No issue was identified.

Beneficial Use/Conservation of Water Resources:

No issue was 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 Jefferson Star and no protests were filed.