

MEMORANDUM

Date: May 09, 2011
To: Transfer 77136
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the place of use for water rights 33-2054, 33-2075, 33-2076A, 33-2076B, 33-7007, 33-7053, 33-7061, 33-2119 and 33-2125. The applicant is seeking to dry up irrigated corners under these rights and install two new overhead center pivot sprinkler systems. This transfer will create a combined place of use of 3002.0 acres. The points of diversion for these water rights are all interconnected. No point of diversion change will occur.

Authority to File:

Applicant is the current owner of water rights per IDWR record and Butte County tax notices. Terry Uhling, who is the applicants senior vice president, secretary and general counsel, signed the application.

Water Right Validity:

Water rights were decreed in 2000. 2009 aerial photography shows 3002.0 acres being irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Ground water rights are not inside the ESPA or part of a water district. No point of diversion change. Applicant seeks to change the place of use only. There is no evidence of injury or change in water source. This transfer will not be advertised.

Enlargement of Use:

Water rights 33-7053 and 33-7061 were licensed with annual volumes that exceed IDWRs 3.5 af/acre field headgate standard. It appears that these licensed volumes were based upon the water rights flow rate diverted continuously for the entire irrigation season. These water rights have a combined volume limitation with other rights that are less than 3.5 af/acre field headgate standard. At this time, no changes will be made to water rights 33-7053 and 33-7061 licensed volumes. There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue 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.