

MEMORANDUM

Date: February 11, 2011
To: Transfer 73746
From: dcarlson
Re: transfer evaluation

This transfer proposes to change nature of use and period of use for part of three existing water rights for the Clark & Edwards canal company. This change in nature of use will be to create a pond for recreation. The pond will have a total surface area of 6.4 acres and a volume of 18 acre-feet. The ponds may be filled from April 1 to October 31 each year. Clark & Edwards can also use their own reservoir storage to fill and maintain this pond. This pond has been in place for 30+ years. The pond is located near the Dry Bed and there is a chance that some water enters the pond from a subwater source.

This was originally filed and advertised as an application for permit. We ultimately decided a transfer application was a more suitable way to cover the new pond. The status of Application for Permit 01-10533 was changed to - - see remarks, see transfer 73746 - -.

Authority to File:

Applicant is the owner of record as far as the SRBA parial decrees. The President signed the transfer.

Water Right Validity:

This water right was decreed in the SRBA in 2009. Forfeiture is not an issue.

Injury to Other Water Rights:

In Water District 01. Watermaster gave his OK. Transfer was originally filed and advertised as an application for permit. Because the activity proposed in the transfer application is identical to the activity proposed in the permit application, we decided not to advertise the transfer application.

Enlargement of Use:

There is no evidence of enlargement of use. The mitigation plan submitted by applicant is sufficient to meet standards set by IDWR. 8 acres will be dried up to mitigate for the pond. Drying up 8 acres equates to 19.5 acre-feet of mitigation. Of this, 12.0 acre-feet will offset the annual evaporative losses from the pond. The remaining 7.5 acre-feet will be used to cover any partial re-fill of the pond. Refills exceeding 7.5 acre-feet must come from another source, such as storage supplies.

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.