

MEMORANDUM

Date: June 29, 2004
To: Transfer 71319
From: dcarlson
Re: transfer evaluation

This transfer proposes to change the Place of use to a pivot plus corners. Fergusons bought part of the old place of use and the entire water right, a ground water right. They are changing the POU to match the ground they now own. They also have canal water on this place of use and some of the other corners and use it when available. Used a larger permissible place of use on this transfer, with an acre limitation. The well will be used in the pivot and the corners closest to the well.

Authority to File:
Applicant provided deeds for the new POU and a purchase agreement for the entire water right.

Water Right Validity:
This water right was licensed in 1995. Landsat and other aerial photos show the old POU was irrigated in the last 5 years
Forfeiture is not an issue.

Injury to Other Water Rights:
Inside ESPA, no POD change. In the measurement district.
Transfer will be advertised to determine any protests.

Enlargement of Use:
There is no evidence of enlargement of use. Used a larger land list than what was licensed for with an acre limitation and af/a limitation of what this right was licensed for.

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.