

MEMORANDUM

Date: August 17, 2010
To: Transfer 76662
From: bjordan
Re: Tranfer Evaluation

This transfer proposes to change the point of diversion for water rights 34-2309, 34-2358F and 34-7059B. There are four points of diversion described under these water rights. One of these points of diversion will be changed. Applicant is seeking to abandon the well in the SWSWNE of 04N, 26E, Section 28 and drill a new well in the SWSE of 04N, 26E, Section 21. The diversion from the new replacement well will be limited to 9.95 cfs.

IDWR record shows the period of use for right 34-7059B as 04-15 to 10-15. In review of this water right, I noticed there was an order amending the irrigation period of use to 05-01 to 11-01 and incorporating an expressed statement in the partial decree. The expressed statement was added to the decreed water right but the period of use was never updated. Therefore, the period of use will be updated to 05-01 to 11-01.

Authority to File:

The applicant is the owner of water rights per IDWR record and property per warranty deed.

Water Right Validity:

Decreed in 2002. Applicant submitted third party statements indicating all of the land was irrigated in 2008 and 2009. 2009 Aerial photography shows land to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and within WD 34. Points of diversion are within adjacent cells. No ESPA analysis required. There appears to be no new changes to the water source or additional impacts to surrounding water users. Will process as a non-advertised transfer. Watermaster does not oppose transfer. No injury issues identified.

Enlargement of Use:

No issues identified

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.

Did not advertise.