

MEMORANDUM

Date: March 30, 2010
To: Transfer 75469
From: jstanton
Re: Comment/Analysis

This application proposes to stop irrigating the area under a new aesthetic pond to be built on the property so that the water that would have been used on the land can be put in the pond to make up for conveyance loss in the system between the pond and the return ditch to the Salmon River. The pond will be fed by Salmon River water if App For Permit 71-10923 is approved. While the transfer is not required in order for the permit to be approved, it is hoped that replacing any water lost to the river with groundwater will minimize the possibility of a water call being made against the permit/license in the future. This reasoning was not clearly understood when the transfer was originally filed, so it was withdrawn/rejected. The transfer now seems reasonable, so has been reactivated and a new filing fee paid. The application for permit and the transfer need to be processed together, as the transfer has no value if the permit is denied; Fish & Game and the USFS have expressed concerns about this project that need to be resolved before processing can move forward.

Lienholder Letter Required: No

Received Date: N/A

Parallel Processing Required: No.

Advertising Required: Yes

Authority To File: The applicants are the owners of record, so this is not an issue.

Water Right Validity: The license was recently issued, so this is not an issue.

Injury To Other Rights: The transfer will make the use of water in the pond non-consumptive, negating injury to other Salmon River users.

Enlargement of Use: None requested.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.