

MEMORANDUM

Date: February 11, 2010
To: Transfer 76265
From: bjordan
Re: Transfer Evaluation

This transfer proposes to change the point of diversion, place of use and add a point of diversion for water rights 35-8864 and 35-7246C. This transfer also proposes to change the place of use and add a point of diversion for water right 35-7246B. Applicant proposes to move acres from existing established water rights to a new PPU of 840 acres. A new well is proposed to be drilled and added as part of the new irrigation system within the PPU. The authorized irrigation under these rights will be limited to 389.4 acres within the 840 acre PPU. The 389.4 acres to be irrigated have been identified on a map that has been submitted as part of the transfer application.

Authority to File:

Applicant is the current owner of water rights per IDWR record and owner of property per warranty deed. Chris Pratt who is a partner in PEP LLC signed the application.

Water Right Validity:

Water right 35-8864 is a license and water rights 35-7246B and 35-7246C are decreed (2002). Applicant is moving pivot corners to cover a new pivot located in 04S, 30E, Section 28. The water rights for these pivot corners have been leased to the WSB or were irrigated in 2009. The acres that were irrigated in 2009 are located in the NWNW, SWSW and SESW of 04S, 30E, Section 27 and the NWSW of 04S, 30E Section 25. 2009 Aerial Photos only show the NWSW of 04S, 30E, Section 25 to be irrigated. In proving that the corners located in the NWNW, SWSW and SESW of 04S, 30E, Section 27 were irrigated in 2009, pictures were taken showing corners being irrigated and used for pasture. Ernie Carlson who was the water master for WD 120 reviewed the transfer application and was not opposed to this transfer being approved.

Injury to Other Water Rights:

Inside the ESPA and within WD 120. An ESPA analysis was conducted showing a less than 2 af/trimester impact to each reach. No mitigation will be required. No evidence of injury. Water master does not oppose transfer if the water rights are conditioned to have a lockable headgated and measuring device. He also requests that applicant identify irrigated acres within larger place of use.

Advertise to determine protest.

Enlargement of Use:

No issue 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.