

MEMORANDUM

Date: April 16, 2009
From: hbohac
Re: transfer 75515

This transfer proposes to adjust the POU to reflect the actual acres being irrigated as the result of a pending NOV sent out in March 2009. Applicant irrigated lands not authorized by his water right which resulted in a POU violation. Three groundwater rights (31-2307B, 31-2408B and 31-7095B) are involved in this transfer. Water right number 31-2307B will be limited to 145.9 acres within the 421.7 acre POU. Water right 31-2408B will be limited to 145.9 acres within the 421.7 acre POU. Water right 31-7095B will be limited to 286.8 acres within the 421.7 acre POU. All three PODs involved in this transfer are existing wells which are listed on all three rights. Water use is irrigation.

Authority to File:

Applicant is current owner of water rights involved. Tax lot data shows Floyd Wilcox & Sons to be current owners of land involved in transfer.

Water Right Validity:

Water right involved was decreed in 2002. 2006 Satellite Image shows land to be irrigated. Forfeiture is not an issue. Purpose of transfer corrects a pending NOV.

Injury to Other Water Rights:

Inside the ESPA and within Water District 110. Correcting a pending NOV; place of use only. No change in hydrological impact. Watermaster does not oppose this transfer. Will process as a no advertisement transfer.

Enlargement of Use:

There is no evidence of enlargement of use.

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.