

MEMORANDUM

Date: January 19, 2010
Re: Transfer 76183
From: hbohac

This transfer proposes to adjust the POU to reflect the water user's actual irrigation practices and resolve an NOV. One water right (35-2389) is involved in this transfer; this water right POU will be limited to the irrigation of 358 acres. The POD will remain unchanged. Water use is irrigation.

Authority to File:

Applicant is the current owner of water right 35-2389. A warranty deed has been provided proving ownership of most of the lands involved in this transfer. Tax lot data shows that Mr. Albertson is the current owner of the land warranty deeds were not provided for.

Water Right Validity:

Water rights involved were decreed in Dec. 2009. 2009 Satellite Image shows land to be irrigated. Forfeiture is not an issue. Purpose of transfer corrects an NOV.

Injury to Other Water Rights:

Inside the ESPA and within Water District 120. Correcting an NOV; place of use only. No hydrologic impact. Will request watermaster comment. 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.