

MEMORANDUM

Date: January 19, 2010
Re: Transfer 76173
From: hbohac

This transfer proposes to adjust the POU of one water right to reflect the water users proposed changes to his irrigation practices. Applicant would like to dry up corners currently irrigated using hand lines and install a wiper pivot. One groundwater right (29-7275) is involved in this transfer. Water right 29-7275 will be limited to the irrigation of 344 acres within the POU. This water right claim was for 344 acres but recommended and decreed for 344 acres within a 351 acre POU. After some research, I did not find any evidence indicating why the water right was recommended this way. The applicant seems equally confused but explained he only irrigated 344 acres within a 344 acre POU and planned to continue those irrigation practices. The POU was changed to reflect 344 acres only.

Authority to File:

Kevin Peck, manager of Peck Farms of Idaho, L.C. has provided a warranty deed and quit claim deed proving ownership of the water right and lands involved in this transfer. He is also requesting the water right owner be changed to Peck Farms of Idaho, L.C.

Water Right Validity:

Water right involved was decreed in 2004. 2009 Satellite Image shows land to be irrigated. Forfeiture is not an issue. Purpose of transfer is to avoid future POU violations.

Injury to Other Water Rights:

Changing place of use only. No hydrologic impact. 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.