

MEMORANDUM

Date: December 07, 2009
Re: Transfer 76114
From: hbohac

This transfer proposes to adjust the POU of three water rights to reflect the actual irrigation practices of the water user and resolve an NOV. Applicants have been enrolled in the CREP program and would like to transfer their current POU to cover the enrolled CREP acres. Three groundwater rights (35-7064B, 35-7065 and 35-13069) are involved in this transfer. Water right 35-13069 is an enlargement right for 2.2 cfs. All three water rights will be part of a permissible POU not to exceed 773.5 acres. The acres listed on 35-13069 were changed from 144.5 to 145.5 to resolve discrepancies present in the total acres, cfs and afa calculations. Water right 35-7064B will be limited to 318 acres within the 773.5 POU. Water right 35-7065 will be limited to 310 acres within the 773.5 POU. Water right 35-13069 will be limited to 145.5 acres within the 773.5 POU.

Authority to File:

Applicants are the current owners of water rights and a warranty deed has been provided proving ownership of the lands involved in this transfer. A state land lease with detailed maps has also been provided to document the state land they are currently leasing.

Water Right Validity:

Water rights involved were decreed in 2002. 2009 Satellite Image shows land to be irrigated. Forfeiture is not an issue. Purpose of transfer corrects an NOV and satisfies CREP commitments.

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.