

MEMORANDUM

Date: October 09, 2009
To: Transfer 75722
From: jstanton
Re: Comment/Analysis

This application changes the place of use to describe what has been irrigated under this right since pivots were installed in 2003, and removes one owner that has been deceased since 2002 (death certificate has been received for file). The transfer is pretty simple, and should be approvable with standard conditions. One less acre has been watered for the last 5 years, so will be forfeited under this transfer; owner is aware of this, and has consented to the change.

Parallel Processing Required: No

Advertising Required: No per 3/18/09 memo from Allen

Authority To File: Applicant is owner of record (other owner is deceased), so this is not an issue.

Water Right Validity: Right was decreed more than 5 years ago, so forfeiture must be considered. As stated above, 1 acre is recommended for forfeiture for 5 consecutive years of non-use. The flow rate will not change, but the volume will be reduced by 4.0 afa.

Injury To Other Rights: There should be none.

Enlargement of Use: Use has been reduced slightly, so this is not an issue.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified. Land is sprinkled for maximum efficiency of water use.

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.