

MEMORANDUM

Date: April 28, 2009
Re: Transfer 75428
From: hbohac

This transfer proposes to correct the POU as a result of a "Pending Notice of Violation" letter sent out in December 2008. Applicant irrigated 3.5 acres outside of his POU which resulted in a violation. Three groundwater rights (35-2666B, 35-2901 and 35-7410) are involved in this transfer. The POU was previously combined for all water rights mentioned and covers 1200 acres. Water right 35-2901 will be limited to 680 acres within the POU. Water Right 35-2666B will be limited to 680 acres within the POU. Water right 35-7410 will be limited to the 1200 acre POU. Applicant currently has 116.8 acres in the CREP program limiting his annual volume to 4332.8 af. These acres will remain unchanged through this transfer. All three water rights use two existing wells. Both of the PODs are listed on all water rights. Water use is irrigation.

Authority to File:

Applicants are current owners of water rights. Miller Farms Inc has changed names to Silver Ridge Farms Inc. Documentation has been provided. Tax lot data shows Silver Ridge Ranch Inc. to be the current owner of the new POU.

Water Right Validity:

Water rights involved were 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 120. Correcting a potential 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.