

MEMORANDUM

Date: May 06, 2009
To: Transfer 75538
From: bjordan
Re: Transfer Evaluation

This transfer proposes to rearrange acres to correspond with what is actually being irrigated. Applicant was irrigating outside of the Place of Use boundary according to water right 34-13901. A Pending NOV was sent out to applicant. Applicant proposes to rearrange acres to avoid any further violations. Applicant will be using existing well. Water use is irrigation.

Authority to File:

Applicant is the owner of water right 34-13901 IDWR record. Keith and Juanna Lewis (owners) signed the application. Idaho AG Credit has a security Interest on water right 34-13901. A Letter from Idaho AG Credit was submitted approving changes made to the water right.

Water Right Validity:

Decreed water right. Applicant is correcting a place of use violation. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and in WD 34. Correcting a notice of violation. Applicant will be using existing well. No ground water analysis needed. Will request watermasters comment. No advertisement needed.

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.