

M E M O R A N D U M

Date: May 08, 2009
Re: Transfer 75435
From: hbohac

This transfer proposes to adjust the POU to reflect the actual acres being irrigated as the result of a pending NOV sent out in December 2008. Applicants irrigated lands not authorized by the water right which resulted in a POU violation. One groundwater right (31-2298) is involved in this transfer. Both PODs involved in this transfer are existing wells. Water use is irrigation.

Authority to File:

Applicants purchased the land from William H. Roundy in 2006 and have provided a warranty deed to prove ownership.

Water Right Validity:

Water right involved was 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 110. Correcting a pending NOV; place of use and ownership change. 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.