MEMORANDUM

TO: Transfer No. 74823 File

FROM: Vicky L Music

DATE: January 29, 2009

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to change the place of use (service area) and add a point of diversion to the Montour Farmers Ditch Co. water right nos. 65-58 and 65-22678.

The site is the 1339.9 – acre service area of the ditch company in Gem County, and includes the Montour Valley. The Payette River bounds the service area on the north.

Contact persons for the applicant are Deon Budell, President of the Montour Farmers Ditch Co., who signed the application, or Lon McConnel, Treasurer, who appears as the applicant.

Deviations from Transfer Policy Standards

The application is complete and I really cannot find any deviations or omissions that would delay the processing of the application.

Summary of Information Submitted

Authority to File: The applicant is the owner of record of the water rights in the IDWR database.

Water Right Validity: Right presumed to be valid. Right was decreed more than 5 years ago but beneficial use was confirmed in most recent 5 years in a review of 2006 aerial photography.

Injury to Other Water Rights: No injury is expected.

Enlargement of Use: No enlargement is proposed.

Local Public Interest: There is no indication in IDWR records that approving this application would not be in the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use(s) consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information &/or Analysis

Additional information is not needed from the applicant nor is additional IDWR analysis needed.

Watermaster comments will be solicited from the Payette River Water District 65 watermaster.

There are no issues that warrant soliciting comments from other entities.

Discussion

This transfer is filed because much of the original place of use was condemned and acquired by the federal Bureau of Reclamation. To preserve the ditch company's 1884 Payette River priority date for their shareholders, the ditch company filed this transfer to move the boundary off approximately 240 acres in Sections 21, 22, 27, and enlarging the service area to the east in Sections 23 and 26. The transfer requests that the service area be expanded from 1199 acres to 1339.9 acres. The number of irrigated acres remains 823.

A point of diversion is also to be added. Shareholder and treasurer, Lon McConnel's river pump in Section 24 will be the second point of diversion.

Water right nos. 65-58 and 63-22678 were decreed by the SRBA Court on 7/3/2002.

There are no overlapping water rights owned by the applicant. There are privately owned ground water rights and a few privately owned Payette River rights within the service area. However, the 0.02 cfs/acre remark and the 823 acre limitation will prevent an enlargement of the irrigation right, 65-58.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a since a new well(s) is not proposed.