

MEMORANDUM

Date: March 23, 2009
From: hbohac
Re: Transfer 75423

This transfer proposes to adjust the POU to reflect the actual acres being irrigated as the result of an "Unauthorized Water Use" letter sent out in February 2009. Applicants installed a pivot irrigation system which resulted in a POU violation. Two surface water rights (34-10933 & 34-10950) and one groundwater right (34-7182) are involved in this transfer. Applicant proposes to combine the POU for all water rights mentioned to cover a total of 313 acres. Water right 34-10933 will be limited to a total of 81.4 acres within the POU. Water Right 34-10950 will be limited to a total of 36 acres within the POU. Water right 34-7182 will be limited to the shared 313 acre POU. Groundwater right 34-7182 uses an existing well. 34-10933 and 34-10950 share a POD and are delivered through the Darlington Ditch. Water use is irrigation.

Authority to File:

Applicants are the current owners of water rights. Tax lot information proves applicants ownership of new POU.

Water Right Validity:

Water rights involved were decreed in 2002. 2004 Satellite Images show land to be irrigated. Forfeiture is not an issue. Purpose of transfer corrects an NOV.

Injury to Other Water Rights:

Inside of the ESPA and within Water District 34. Correcting a potential NOV; place of use only. Hydrological impact is unchanged. Will request watermaster comment. 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.