

MEMORANDUM

Date: March 05, 2009
From: hbohac
Re: transfer 75238

This transfer proposes to adjust the POU to reflect current irrigation practices. Applicant received an "Unauthorized Water Use" letter sent in October 2008 after installing a pivot irrigation system which resulted in a POU violation. One groundwater right (34-2487) and seven surface water rights (34-254, 34-16, 34-44, 34-45, 34-727A, 34-2253A and 34-13410) are involved in this transfer. Applicant proposes to combine the POU for all water rights mentioned to cover a total of 294 acres; the maximum total acres authorized by those rights. Surface water is diverted from several sources (34-44 & 34-45 from Jensen Springs, 34-2253A & 34-13410 from Unnamed Stream and 34-16, 34-254 & 34-727A from Pass Creek) into holding pond and then pumped into an interconnected irrigation system where joins groundwater and is then used. Water right 34-2487 uses an existing well and the surface water rights use existing PODs. Water use is irrigation.

Authority to File:

Applicants are current owners of water rights. IDWR tax lot data shows applicants to be current owners of 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 an NOV.

Injury to Other Water Rights:

Outside the ESPA and within Water District 34. Correcting a potential NOV; place of use only. 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.