

MEMORANDUM

Date: March 13, 2009
Re: Transfer 75229
From: hbohac

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 November 2008. Applicant installed a pivot irrigation system which resulted in a POU violation. Eight surface water rights (34-119B, 34-213A, 34-215, 34-223A, 34-225, 34-227A, 34-10540 & 34-10541) and one groundwater right (34-2479) are involved in this transfer. Applicant proposes to combine the POU for all water rights mentioned to cover a total of 410 acres. Water right 34-119B will be limited to a total of 100 acres within the POU. Water Right 34-213A will be limited to a total of 40 acres within the POU. Water right 34-215 will be limited to 40 acres within the POU. Water right 34-223A will be limited to 40 acres within the POU. Water right 34-225 will be limited to a total of 80 acres within the POU. Water right 34-2479 will be limited to a total of 327 acres within the POU. Water right 34-10540 will be limited to a total of 80 acres within the POU. Water right 34-10541 will be limited to a total of 40 acres within the POU. Groundwater right 34-2479 uses an existing well. 34-119B, 34-213A, 34-223A, 34-225, 34-227A, 34-10540 & 34-10541 all share a POD known as Burnett Ditch. 34-215 comes from Jaggles Spring and has its own POD. Water use is irrigation.

Authority to File:

Applicant is the current owners of water rights. Applicant submitted warranty deeds proving ownership 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:

Within Water District 34. Correcting a potential NOV; place of use only. No changes in hydrological impact. 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.