

MEMORANDUM

Date: February 02, 2009
To: Transfer 75386
From: bjordan
Re: Transfer Evaluation

This transfer proposes to rearrange acres correspond with what is actually being irrigated. Applicant was irrigating outside of the Place of Use boundary according to water right 31-11418. A NOV was sent out to applicant. Applicant proposes to rearrange acres to avoid any further violations. Applicant will be using existing well. Water use is irrigation.

Authority to File:

Applicants are the owners of water right 31-11418 per IDWR record and tax lot data (see document). Carl Ball (General Partner) of Ball Farms LTD Partnership signed the application (see document). Property is subject to a lien. Applicant provided letter from lien approving changes to water right 31-11418.

Water Right Validity:

Decreed water right. Applicant is correcting a place of use violation. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA and in WD 110. Correcting a notice of violation. Applicant will be using existing wells. No ground water analysis needed. Watermaster does not oppose transfer. No advertisement needed.

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.