

M E M O R A N D U M

Date: November 18, 2008
To: Transfer 75235
From: Denise Kidman
Re: Transfer Evaluation

This transfer proposes to change the POD and POU to an existing irrigation system. Applicant currently has a ground water right with a POD located T04S R31E SEC 27 NWSWSW and a POU located T04S R31E SEC 27 NWSW and SWSW. The applicant also has canal shares from Aberdeen-Springfield Canal Co. and water is pumped out of the High Line Canal for about half a mile south to irrigate a POU located T04S R31E SEC 34 NWNW and SWNW. Applicant wants to save energy and make the irrigation system more efficient.

Authority to File:

Applicant is the current owner of water rights. The applicant has provided a warranty deed as proof of ownership. Applicant is owner of property.

Water Right Validity:

This water right is included in the SRBA but has been grouped with others that have objections similar to the recaptured water issue. The Basin 35 rights were consolidated and have been stayed for quite a while until the related Basin 01 rights were reported. The Basin 35 rights are related to the Aberdeen-Springfield agreement. Boise legal staff has been notified about the transfer and does not see a problem with processing the transfer because it can be protested. Forfeiture does not appear to be an issue. Nature of use is irrigation

Injury to Other Water Rights:

Transfer application is inside the ESPA and in Water district 120. The ESPA model showed the new and old POD is in the same row and column so the model was not ran. Will request Watermaster comment. Advise to determine protest.

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.