

MEMORANDUM

Date: January 13, 2009
To: Transfer 75282
From: hbohac
Re: transfer

This transfer proposes to correct the POU as a result of an "Unauthorized Water Use" letter sent out in December 2008. Applicant installed a pivot irrigation system and which resulted in a POU violation. One groundwater right (35-7954E) is involved in this transfer. Water right uses an existing well. The POD is not currently shared by other rights. Water use is irrigation.

Authority to File:

Applicants are current owners of water right. Applicant submitted warranty deeds proving ownership of new POU as well as a letter from lien holder approving transfer.

Water Right Validity:

Water right 35-7954E was decreed in 2002. Forfeiture is not an issue. Purpose of transfer corrects a pending NOV.

Injury to Other Water Rights:

Inside the ESPA and within Water District 120. Correcting a pending NOV; place of use only. No groundwater analysis needed. Watermaster does not oppose transfer. 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.