

MEMORANDUM

Date: January 08, 2009
To: Transfer 75252
From: bjordan
Re: Transfer Evaluation

This transfer proposes to rearrange acreage to correct a pending NOV. Applicant was irrigating outside the place of use boundaries according to water rights 34-13631, 34-13633, 34-13636, 34-13643, 34-13645, 34-13629, 34-13637, 34-13639, 34-13641, 34-13647 and 34-13657. Applicant installed a center pivot, which resulted in a POU violation. Applicant proposes to rearrange acres under the above water rights to correspond with what is being irrigated. Water rights 34-13647 and 34-13657 (enlargement of 34-13647) are ground water rights. The rest are surface water rights. The surface water rights are delivered through the Burnett Ditch. Applicant will be using existing surface and ground water diversions. Water use is irrigation.

Authority to File:

According to IDWR records and warranty deeds submitted, the applicants are owners of the new place of use. Mojanet and Deborah Brodie who are the owners signed the application.

Water Right Validity:

Decreed water rights. Applicant is correcting a pending notice of violation. Forfeiture is not an issue.

Injury to Other Water Rights:

GW rights are inside the ESPA and all water rights are in water district 34. Correcting a pending notice of violation. Applicant is only rearranging POU. Applicant will be using existing well. No ground water analysis needed. Will request Watermaster comment.
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.