

MEMORANDUM

Date: December 01, 2008
To: Transfer 75239
From: hbohac
Re: transfer evaluation

This transfer proposes to correct the POU as a result of a NOV sent out in late October. Applicant installed a pivot irrigation system which resulted in a POU violation. One groundwater right (34-2400B) and two surface water rights (34-250D, 34-249B) are involved in this transfer. Applicant proposes to combine the POU for all water rights mentioned to cover a total of 116 acres. Water rights 34-249B and 34-250D will be limited to a total of 75 acres within the POU. Water right 34-2400B will be limited to 105.5 acres within the POU. Water right 34-2400B uses an existing well. Water rights 34-250D and 34-249B will be using existing POD known as the Moore Diversion, Eastside Ditch. Water use is irrigation.

Authority to File:

Applicant is current owner of water right. Applicant submitted warranty deeds proving ownership of new POU.

Water Right Validity:

Water right 34-2400B, 34-249B and 34-250D were decreed in 2001. 2006 Satellite Image shows land to be irrigated. Forfeiture is not an issue. Purpose of transfer corrects an NOV.

Injury to Other Water Rights:

Inside the ESPA and within Water District 34. Correcting an NOV; place of use only. No 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.