

MEMORANDUM

Date: October 10, 2008
To: Transfer 75067
From: bjordan
Re: Transfer Evaluation

This transfer proposes to correct the legal description for the POD and POU. An error was made at the time of licensing exam which put the POD and POU in the wrong Section and QQ. This transfer will keep water right from violation. Using an existing well. Transfer will result in an ownership change. Water use is commercial. The diversion rate is only .04 cfs. A measurement from the water district is not required for anything less than 5 acres and less than .24 cfs. A measuring device is not needed.

Authority to File:

Applicant submitted warranty deeds to complete the ownership change.

Water Right Validity:

This water right was licensed in 1990. A field exam concurred that water is being used for office buildings and a lavatory. Applicant has obtained all warranty deeds verifying that they are the owner of water right. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA area and in Water District 100. Correcting a licensing exam error and avoiding a potential violation. Transfer of POD is within the same ESPA model grid cell. No ground water analysis is 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.