

MEMORANDUM

Date: September 15, 2008
To: Transfer 74797
From: dcarlson
Re: transfer evaluation

This transfer proposes to move this ground water right to a new larger place of use. This will fill in the pivots making them larger. Use the two existing wells. Existing new place of use has a mitigation plan associated with the existing water rights from transfer 70815.

This transfer was amended to include the other rights in a permissible place of use.

Authority to File:

Applicant is the owner of record as far as the new place of use and has a purchase agreement for this water right from the current owner.

Water Right Validity:

This water right was decreed in the SRBA in 2002. Air photos from 2006 show it to be irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Inside the ESPA area and in Water District 110. Will request Watermaster comment.

Cell change from 45/168 to 44/176. Water right to be transferred is for 44.8 acres, 1.13 cfs and 156.8 afa

to complete this transfer only 42.9 acres, 1.08 cfs and 150.2 afa can be transferred. One reach is above 5%, the Ashton to Rexburg reach, but the effects are 2.0 afa/trimester, which is acceptable.

Transfer will be advertised to determine any protests.

The amended transfer will be processed as a no advertised transfer. Combining all the water rights into a larger place of use will have no hydrologic effect.

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.