

MEMORANDUM

Date: July 29, 2008
To: Transfer 74922
From: jlarsen
Re: Tansfer Evaluation

This transfer proposes to change the place of use and add a point of diversion for right 35-2263A. Mr. Ellis wants to move some of irrigation across Highway 26 to some property he bought and is getting ready to build a house on. The transfer involves drying up two acres on the south side of Highway 26 and moving the water about 130 feet to the northeast. The ESPA model was not run because the old and new places of use and points of diversion are in adjacent model grid cells.

Authority to File:

Applicant is the owner of record as far as a partial decree on 31Jan2002 in the SRBA court. Current taxlot data shows Mr. Ellis as the owner.

Water Right Validity:

This water right was decreed in 2002. 2004 and 2006 aerial photos show that the current POU was being watered. Forfeiture is not an issue.

Injury to Other Water Rights:

In Water District 120. Watermaster will comment.

Transfer will be advertised to determine any protests. It is very unlikely than any injury would occur based on the short distance the water is being moved and that the new property is surrounded on three sides by large lava flows.

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.