

MEMORANDUM

Date: January 30, 2008
To: Transfer 74351
From: jlarsen
Re: Transfer Evaluation

This transfer proposes to change the point of diversion, nature of use, period of use, and place of use. The new right will include the diversion to storage and fire protection storage. The new pond is to be lined. The pond will also need a new well.

Authority to File:

Applicant is the owner of record as shown on the Water Right Purchase and Sale Agreement, dated 2NOV2007.

Water Right Validity:

This water right was licensed on 30JUN1995 and 2004 aerial photos show it being irrigated. Forfeiture is not an issue.

Injury to Other Water Rights:

Not currently in a Water District.

Transfer will be advertised to determine any protests.

POU that overlap QQs are: 22-144 and 22-277A.

No POD overlap because new well is required.

Enlargement of Use:

There is no evidence of enlargement of use. The mitigation plan submitted by applicant proposes to dry up an adequate amount of acres to mitigate for the change in use. Ground water was determined to be primary as a result of meeting between IDWR personal and applicant. Memo by Kristen Moore in file as to the proceedings from that meeting.

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.