

MEMORANDUM

Date: March 15, 2005
To: Transfer 71527
From: rwarner
Re: Transfer Comments

This transfer proposes to add five new points of diversion and change the place of use by creating a permissible place of use (PPU) in association with water right 27-7447. Idaho Supreme Potatoes, Inc. planted a row of trees for a windbreak to their existing land application site. The land application devices do not provide adequate water to supply the trees and have since been using existing monitoring wells to provide the drip irrigation water for the trees. Their system is currently manifolded together with the system providing water to water right 27-7447 and would improve their management and efficiency under a PPU. The new PPU would also be relevant to the industrial component of the water right and their ability to spread waste water. The original points of diversions were located in two different cells of the ESPA model boundary. The new PODs will result in locations in both of the same cells.

Authority to File:

Applicant has provided a copy of 2004 tax assessments. Applicant has also provided a lease agreement for lands also under this water right.

Water Right Validity:

The water right is a licensed right.

Injury to Other Water Rights:

Water rights are to be included in Water District 120 in the near future. Comments have been solicited from this entity and have been returned with no opposition. Transfer will also be advertised in local newspaper.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

This transfer appears to not conflict with local public interest. It will be advertised to determine otherwise.

Beneficial Use / Conservation of Water Resources:

Transfer will provide for waters to irrigated lands in a manner consistent with state laws.

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.